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The
American Historical Review

HISTORICAL SYNTHESIS

SOME forty years ago Thomas Buckle published the famous work in which he denounced the historical method then in use and attributed the failure of historians to raise history to the rank of the natural sciences to intellectual inferiority on their part. Of the zeal displayed in research and "of the immense value of that vast body of facts" that had been brought together Buckle had only words of praise. "But if, on the other hand," he went on, "we are to describe the use that has been made of these materials, we must draw a very different picture. The unfortunate peculiarity of the history of man is, that although its separate parts have been examined with considerable ability, hardly any one has attempted to combine them into a whole and ascertain the way in which they are connected with each other. In all the other great fields of inquiry the necessity of generalization is universally admitted, and noble efforts are being made to rise from particular facts in order to discover the laws by which those facts are governed. So far, however, is this from being the usual course of historians, that among them a strange idea prevails, that their business is merely to relate events, which they may occasionally enliven by such moral and political reflections as seem likely to be useful."¹

Buckle believed that "the establishment of this narrow standard" had led to results "very prejudicial to the progress of our knowledge." He acknowledged that "since the early part of the eighteenth century, a few great thinkers" had indeed arisen, who had deplored "the backwardness of history," and had done everything in their power to remedy it. These instances had, however, been extremely rare, and it seemed desirable to him that something

¹ Henry Thomas Buckle, *History of Civilization in England* (2 vols., New York, 1871), I. 3.

should be done "on a scale far larger" than had hitherto been attempted, "and that a strenuous effort should be made to bring this great department of inquiry to a level with other departments, in order that we may maintain the balance and harmony of our knowledge." He hoped "to accomplish for the history of man something equivalent, or at all events analogous," to what had been effected "by other inquirers for the different branches of natural science. In regard to nature, events apparently the most irregular and capricious have been explained and have been shown to be in accordance with certain fixed and universal laws. This has been done because men of ability, and above all, men of patient, untiring thought, have studied natural events with the view of discovering their regularity; and if human events were subjected to a similar treatment, we have every right to expect similar results. . . . This expectation of discovering regularity in the midst of confusion is so familiar to scientific men, that among the most eminent of them it becomes an article of faith; and if the expectation is not generally found among historians, it must be ascribed partly to their being of inferior ability to the investigators of nature, and partly to the greater complexity of those social phenomena with which their studies are concerned." He claimed that "the most celebrated historians are manifestly inferior to the most successful cultivators of physical science: no one having devoted himself to history who in point of intellect is at all to be compared with Kepler, Newton, or many others that might be named." He added, in a foot-note, that he spoke "merely of those that made history their main pursuit. Bacon wrote on it, but only as a subordinate object; and it evidently cost him nothing like the thought which he devoted to other subjects."¹

The idea of raising history to the rank of a science by generalizing upon the social facts and by establishing laws did not originate with Buckle. He had been preceded by Comte, to whom he refers as "a living writer who has done more than any other to raise the standard of history." Comte, Buckle tells us, "contemptuously notices 'l'incohérente compilation de faits déjà improprement qualifiée d'*histoire*.'"²

It is well known that the work of Buckle created a sensation. The discussion that it called forth has engaged the attention of a generation of scholars. To scientists the claim made by Buckle, that history could be made a science only by applying to social phenomena the method that had accomplished so much in investi-

¹ *Ibid.*, I. 5.

² *Ibid.*, I. 4.

gating physical phenomena, appeared almost if not quite axiomatic; to historians it was rank heresy. They not only denied that they had anything to do with historical laws, but asserted that such things could not be. The arguments made by the historians were not convincing. Droysen, in his defense of the historical method,¹ acknowledged that "our science has not yet set its theory and system on a firm footing." "The recognition will not be denied to historical studies," he said, "that even they have some part in the intellectual movement of our age, that they are active in discovering the new, in investigating anew what has been transmitted, and in presenting results in appropriate form. But when asked their scientific justification and their relation to the other circles of human knowledge, when asked what is the foundation of their procedure, what the connection of their means and their problems, they are, up to date, in no condition to give satisfactory information."

These questions Droysen did not answer in a convincing manner. When he asked, "Is there, then, never more than one way, one method of knowledge? Do not its methods incessantly vary according to their objects?", he was touching the root of the whole discussion; but he did not make clear what these methods are that give us respectively natural science or history. He claimed that the mind "apprehends spatial manifestations as nature and temporal occurrences as history; not because they are so and so distinguished objectively, but in order to be able to grasp and think them"; but he offered no satisfactory discussion of the logical difference between the synthesis of the natural sciences and of history. He even rendered the problem more complicated by treating history as a science of the moral world.

The real point at issue — although not fully understood by either side in the debate — was a question of synthesis, of what form should be given to the facts that had been established as the result of the critical work. To improve the work of criticism, to lay down axioms for the establishment of the historical facts, would in no wise meet the objections of the natural scientist to the method — or the absence of method, as he considered it — of the historian. This was, however, exactly what Rhomberg hoped to do in his monograph entitled *Die Erhebung der Geschichte zum Range einer Wissenschaft*.² While the work was a valuable contribution to the litera-

¹ The discussion of the subject by Droysen is found in the two articles entitled "The Elevation of History to the Rank of a Science" and "Nature and History," translations of which are appended to the translation, by Dr. Andrews, of Droysen's *Grundriss*, under the title *Outline of the Principles of History* (Boston, 1893).

² Adolf Rhomberg, *Die Erhebung der Geschichte zum Range einer Wissenschaft* (Leipzig, 1883). Rhomberg chose for the motto of his book, "Erst die Gewissheit

ture of historical criticism, it had no influence, naturally, upon a discussion that dealt with the question of historical synthesis.

Although the natural scientists appeared to have the better of the argument — for logic offered no aid to the historian — men did not cease to write history in the old way. There seemed to be a feeling that even if the historical method could not be justified in the eyes of natural scientists, even if it were not scientific, it was doing something that needed to be done, and that could not be done by the use of the method of natural science. It was noticeable, however, that by the side of history was growing up a new science, dealing also with the life of man in society, but employing the method of natural science and engaged in the search for regularity and law. This science had accepted the name employed by Comte¹, and called itself sociology. It even claimed to be the science of history that Buckle had hoped to call into being. History was simply a work of "erudition"²; the task of the historian was to prepare the material from which the laws of the sociologist were to be derived. The historian refused, however, to play the rôle of man-servant to the new science, and the discussion lived on although conducted with less vigor than in the days of Buckle.

Some ten years ago, new life was breathed into the controversy by Professor Lamprecht of Leipzig. He announced the discovery of a new historical method the application of which would give a

macht die Wissenschaft zur Macht." In his statement of the problem (p. 12) he said, "Was nun der Historiker gewiss zu machen hat, das ist eigentlich die *Thatsächlichkeit* des gemeldeten Factums." Certainty concerning the facts of history would, he believed, raise history to the rank of a science. The same idea appears in Bernheim, *Lehrbuch der historischen Methode* (edition of 1894), 237.

¹ Paul Barth, *Die Philosophie der Geschichte als Sociologie* (Leipzig, 1897), 33, note.

² P. Lacombe, *De l'Histoire Considérée comme Science* (Paris, 1894), VII. 3. The attitude of the sociologist for a long time — and for the most of them even to-day — toward the historical method is well formulated by Lacombe: "Je rapelle en mon esprit la définition de la science, et je me dis: Si les hommes, dans leurs actes, dans leur conduite, ont jamais présenté quelque similitude, celle-ci pourra faire l'objet d'une proposition générale. L'histoire sera une science possible, dans la mesure où ces similitudes s'offriront. Par contre, si l'humanité n'a aucune ressemblance avec elle-même, si la conduite de chacun des hommes qui ont passé a parfaitement différé de la conduite des autres, l'histoire ne sera jamais une science."

Louis Bordeau, *L'Histoire et les Historiens* (Paris, 1888), 1: "L'histoire est toute à refaire ou plutôt elle n'est pas encore faite. Les fondements mêmes de la science sont à établir. La construction attend son architecte. A peine peut-on dire que le passé nous a légué des matériaux. . . . [One of the conditions of a science is that] les connaissances acquises doivent pouvoir être formulées en lois. . . . [History did not meet this requirement] sa capacité d'établir des lois, nulle."

Paul Mougéolle, *Les Problèmes de l'Histoire* (Paris, 1886), 40, in which he considers the problems of sociology, assumes that it is a question of *either* history *or* sociology: "On peut dire qu'aucun historien avant Montesquieu, sans en excepter Bodin lui-même, n'a aperçu clairement l'idée de loi."

"new history."¹ It was simply the old question of historical synthesis, this time treated clearly as a question of synthesis. Stripped of all its local and temporal peculiarities, it was simply the old attempt to raise history to the rank of a science by applying to it the method of the natural sciences. The proof of this statement would seem to be found in the fact that in spite of his theories Lamprecht's history did not differ in form from that of the historians that had preceded him,² and that if he had applied his theory he would have produced a sociology and not a history. It is not my purpose to add to the controversial literature that has been produced in the discussion between Lamprecht and his opponents. I would simply call attention to the fact that Lamprecht asserts that the old historical synthesis is unscientific and that there is but one scientific method of approach to any subject of investigation.³ It is the purpose of this article to raise a reasonable doubt upon the question that has been the whole matter at issue between the historians and the natural scientists during the last half-century.

This question that has long divided the world of scholars is evidently, in the last analysis, a question of logic and of the theory of knowledge. It is the question asked by Droysen, but as yet unanswered: "Is there, then, never more than one way, one method of knowledge? Do not its methods incessantly vary according to their objects?" To this question the old logic gave no answer, or it assumed that there is but one kind of knowledge worth seeking and but one method. Logic was under the spell of the natural sciences. It had grown up under the influence of the natural sciences, it selected nearly all of its illustrations from them, and its

¹ Lamprecht's theory is formulated in *Die kulturhistorische Methode* (Berlin, 1900), and in an article entitled "Über den Begriff der Geschichte und über historische und psychologische Gesetze," in the *Annalen der Naturphilosophie*, Vol. II., No. 2. History is "die Wissenschaft von den seelischen Veränderungen menschlicher Gemeinschaften" (*Die kulturhistorische Methode*, 15). What is sociology? Science "ist nichts anderes als der Versuch, die Welt der Erscheinungen höheren Begriffen und Begriffssystemen zu unterstellen, als sie die Sprache schon darbietet" (*Ibid.*, 6). Concepts with general or with individual contents? Are these "systems" of concepts laws or complex wholes? Lamprecht's concepts are evidently concepts with general contents (*Ibid.*, 25-29). Lamprecht's distinction between *Geschichtsschreibung* and *Geschichtswissenschaft* is evidently the same thing as history and sociology (*Ibid.*, 35).

² "Meine Deutsche Geschichte ist das erste historische Werk, das nach den Begriffen solcher Kulturzeitalter disponiert ist und damit die Entwicklung des deutschen Volkes nach den Forderungen der kulturhistorischen Methode darstellt" (*Ibid.*, 26). That there is any logical difference between the method employed in writing the volume of this history devoted to the German Reformation and the method employed by Ranke in dealing with the same subject is not clear to the uninitiated.

³ In both the articles referred to above he traces the history of the development of the sciences and endeavors to make clear why historical science has not kept pace in its development with the natural sciences.

general theories were constructed upon a natural-science basis.¹ It had not, for the most part, occurred to the modern logician that there could be any other point of view. When the natural scientist asserted that the method of the historian was illogical, he was speaking by the book; logic bore him out. If, now, logic should free itself, should discover that the method is determined by the end; that there is no one method that can give us the whole truth; that there are some things that we want to know, that we have a right to know, and that cannot be discovered by the method of natural science, then historical science would come at last to a consciousness of its method and would be able to justify its procedure.

While Lamprecht was congratulating himself that the new school of historians had driven the old school from the field or had left to them the pursuit of something that could not logically be called a science,² this long domination of the natural-science method in logic was coming to an end and the foundation upon which he had built up his theories was being undermined. As early as 1888, in his study *Zur Lehre von der Definition*, Rickert had attacked the idea of a universal natural-science method and had sought to show "how meaningless the theory is in accordance with which the common elements of things are identical with the essential characteristics of their concepts." "It had become clear to me," he wrote later, "that there is always need of a definite object by means of which the essential characteristics may be separated from the unessential; and that, in theories of methods, the important thing is to become acquainted with these various objects in order to understand and do justice to the manifoldness of scientific methods."³ In the same year appeared the treatise by Naville entitled *De la Classification des Sciences*, in which he arranged the sciences in three groups: the first, entitled "histoire," comprised the sciences of the reality; the second, or "théorématique," dealing with what might be called the natural sciences, he characterized as "the sciences of the necessary

¹ Wilhelm Windelband, *Geschichte und Naturwissenschaft* (Strassburg, 1900, zweite Auflage), 13, 14.

² "Die Geschichtsschreibung bleibt nach wie vor ein künstlerisches Geschäft, denn sie wirkt auf die Anschauung und beschäftigt sich gewöhnlich mit dem was an den geschichtlichen Vorgängen als singular erscheint" (*Die kulturhistorische Methode*, 35). It is clear from Professor Dow's article on "Features of the new History" (*AMERICAN HISTORICAL REVIEW*, April, 1898), in which he makes a synthesis of Lamprecht's ideas as found in his different pamphlets, that the "old method," largely outgrown, is being rapidly replaced by the "new method," based upon psychology and seeking for the "typical stages" in social development. "Whatever the rational has not yet conquered" is left to those "who see at the basis the singular, not the regular."

³ Heinrich Rickert, *Zur Lehre von der Definition* (Freiburg i. B., 1888). The quotation is from the *Vorwort* to *Die Grenzen der naturwissenschaftlichen Begriffsbildung*.

conditions of the possible, or the sciences of law."¹ Simmel in 1892 declared that "In so far as it is the affair of historical science to describe what has actually occurred, in that it is above all things the science of reality, it stands in the sharpest imaginable contrast to all sciences of law."² Finally in 1894 Windelband,³ rejecting the common division of the sciences into *Naturwissenschaften* and *Geisteswissenschaften*, and adopting as the principle of division the end aimed at, proposed the classification *sciences of law* and *sciences of events*, or in other words, natural science and history. Two years later Rickert published the first part of his work *Die Grenzen der naturwissenschaftlichen Begriffsbildung*.⁴ It was the negative portion of his treatise, and I shall deal with it in connection with the positive treatment of the theory that appeared in 1902.

All of these conceptions of the relation of natural science to historical science had much in common, and testified to a coming change in the conception of the logic of the sciences. The literature of the discussion was enriched in 1899 by two important contributions, one by a psychologist, Münsterberg,⁵ the other by an

¹ Rickert, *Die naturwissenschaftliche Begriffsbildung*, 299. Naville's monograph is out of print and I have been unable to obtain a copy of it. In 1901 M. Naville reprinted his work under the title *Nouvelle Classification des Sciences*. He there defines history as the "science des réalités diverses dans l'espace et changeantes dans le temps" (Berr in *Revue de Synthèse Historique*, June, 1902, 294). Berr notes "une tendance croissante à faire d'une définition de l'histoire la base de la classification des sciences" (*Ibid.*).

² Georg Simmel, *Die Probleme der Geschichtsphilosophie* (Leipzig, 1892), 43.

³ Wilhelm Windelband, *Geschichte und Naturwissenschaft*, 16-19.

⁴ The first three chapters of the work appeared in 1896, the last two in 1902. The chapters and their subdivisions are as follows: I. Die begriffliche Erkenntnis der Körperwelt. (1) Die Mannigfaltigkeit der Körperwelt und ihre Vereinfachung durch die allgemeine Wortbedeutung. (2) Die Bestimmtheit des Begriffes. (3) Die Geltung des Begriffes. (4) Dingbegriffe und Relationsbegriffe. (5) Die mechanische Naturauffassung. (6) Beschreibung und Erklärung. II. Natur und Geist. (1) Physisch und Psychisch. (2) Die begriffliche Erkenntnis des Seelenlebens. (3) Naturwissenschaft und Geisteswissenschaft. III. Natur und Geschichte. (1) Die naturwissenschaftliche Begriffsbildung und die empirische Wirklichkeit. (2) Der Begriff des Historischen. (3) Die historischen Bestandtheile in den Naturwissenschaften. (4) Naturwissenschaft und Geschichtswissenschaft. IV. Die historische Begriffsbildung. (1) Das Problem der historischen Begriffsbildung. (2) Das historische Individuum. (3) Die teleologische Begriffsbildung. (4) Der historische Zusammenhang. (5) Die geschichtliche Entwicklung. (6) Die naturwissenschaftlichen Bestandtheile in den historischen Wissenschaften. (7) Geschichtswissenschaft und Geisteswissenschaft. (8) Die historischen Kulturwissenschaften. V. Naturphilosophie und Geschichtsphilosophie. (1) Die naturalistische Geschichtsphilosophie. (2) Die empirische Objektivität. (3) Die metaphysische Objektivität. (4) Der erkenntnistheoretische Subjektivismus. (5) Die kritische Objektivität. (6) Naturwissenschaftliche und historische Weltanschauung.

⁵ Münsterberg's paper was read before the American Philosophical Society, and appeared in the *Psychological Review* (January, 1899). The title was "History and Psychology." It was reprinted in 1899 as chapter five, or as the fifth paper, in *Psychology and Life*.

historian, Xénopol.¹ Münsterberg, wishing to free psychology from the danger of a too intimate association with history, attempted a new classification of the sciences that he might assign to each its own province. While he declared himself in sympathy with the effort of German logicians to separate psychology from history, and looked upon such "logical separation as a liberating deed," he considered the arguments that had led to this separation "mistaken and untenable in every respect." He asserted that the difference between psychology and history is "not in the kind of treatment, but in the material itself," psychology dealing with objects, history with subjective will-attitudes. He formed four groups of sciences corresponding to four groups of facts in reality :

We have the science of the over-individual objects, that is, physics ; secondly, the science of the individual objects, that is, psychology ; thirdly, the sciences of the over-individual will acts, that is, the normative sciences ; and last, and not least, the sciences of the individual will-acts, that is, the historical sciences. Physics and psychology have thus to do with objects ; history and the normative systems, ethics, logic, esthetics, deal with will-acts. Physics and history have thus absolutely different material ; the one can never deal with the substance of the other, and thus they are separated by a chasm, but their method is the same. Both connect their material ; both consider the single experience under the point of view of the totality, working from the special facts towards the general facts, from the experience toward the system.

Elsewhere in the same article Münsterberg states that history as distinguished from psychology has nothing to do with causal connections :

The manifoldness of will-acts, the totality of which forms my real personality, thus refers in every act to the will-acts and attitudes of other subjects which I acknowledge or oppose, imitate or overcome. These demands and suggestions of others are not in question in my life as causes or partial causes of my will ; they have not to be sought in the interest of a causal connection ; they are merely conditions which I as subject of attitude and acts presuppose for my free decision, and which are logically contained in it ; the connection is, therefore, not a causal, but merely a teleological one. The endless world of will-acts which stands thus in teleologically determining relation to our will-attitudes forms the only material of history.

As the practice of the historian does not agree with the logic of the method as Münsterberg has formulated it, he criticizes the practice :

A history which interprets subjectively and understands their purposes out of the deeds of men relinquishes, indeed, its only aim if it coördinates these teleological relations with the causal explanation of human happenings from climatic and geographical, technical and economical, physiological and pathological influences. The subject which is determined by purposes is free ; the action which is the effect of causes is unfree.

¹ A. D. Xénopol, *Les Principes Fondamentaux de l'Histoire* (Paris, 1899).

When Münsterberg wrote this paper the second part of Rickert's work had not appeared and a clear understanding of Rickert's logic of the historical method was not possible. I shall refer to Münsterberg's theory again in presenting the outline of Rickert's logic.

The point of view of Xénopol in *Les Principes Fondamentaux de l'Histoire* is closer to that of the first group of writers and agrees for the most part, with the teachings of Rickert. All phenomena he divided into two classes, *coexistent facts*, afterwards called *repeated facts*, and *successive facts*.¹ The natural sciences deal with the former, the historical sciences with the latter. In a review of Rickert's volume in 1902 Xénopol formulated the substance of his theory of the historical method:

History deals only with phenomena individualized by time, that is to say, those that are produced but once in the course of the ages; such a conception could not furnish opportunity for the formation of notions of law, but only for that of unique and particular series; causality can only assume (in history) the same serial form and not that of repetition under the form of laws independent of time; this conception applies as well to the history of the human mind as to that of the earth and organisms; it is not in applying to history the method of the natural sciences that this discipline will be raised to the rank of a science, but it is necessary, on the contrary, to complete the logic of repetition by that of succession.²

Xénopol's work was valuable and interesting, but his formulation of the logic of historical method was not sufficiently definite. Are all successive facts historical facts? If not, by what means do we distinguish the essential, or historical successive facts, from the unessential? Xénopol did not answer that question.³ More than that, two kinds of phenomena certainly do not exist. Repeated facts and successive facts are simply two points of view, all the facts of reality being unique and unrepeated. Failing to see that successive facts might also be repeated facts, if the unique in several series be eliminated, leaving only what is common in the succession, he denied the possibility of formulating sociological laws.

Rickert's complete treatise, containing both the negative portion of the theory that had appeared in 1896 and the new positive portion, was published in 1902. It was the first detailed attempt to formulate the logic of the historical method. Whatever may be the final judgment of logicians upon his theory, it is a serious piece of

¹ In the first chapter, "Les Phénomènes Coexistants et les Phénomènes Successifs," Xénopol presents his theory of the classification of the sciences. His most important contribution to the theory of historical synthesis is in chapters ten and eleven, where he deals with the historical series and causal connection.

² *Revue de Synthèse Historique* (June, 1902), 292.

³ See Rickert's criticism of this point in *Die Grenzen der naturwissenschaftlichen Begriffsbildung*, 450.

work and must be taken seriously.¹ It is not the outcome of the Lamprecht discussion, the theory having been conceived and partly formulated before any such discussion existed. It is likely to transform the old logic and, supplying a scientific basis for the methods of history and of natural science, put an end to a discussion that has lasted long and has been largely due to a mutual misunderstanding. There would seem, then, to be sufficient reasons for calling the attention of historians to the outlines of Rickert's logic of the historical sciences.

The attempt to formulate the logic of the historical sciences was the natural result of the conclusion reached by Rickert in 1888, that the object of a science determined what its method should be.² Unable to see how there could be a universal method, he naturally rejected the claims of universal applicability made for the method of the natural sciences. Instead of proceeding directly to formulate the logic of the historical sciences, he decided to clear the ground by determining the limits of the application of the natural-science method, or in his language, the limits to the formation of natural-science concepts. What the method of the natural science could not do must be done, clearly, by some other method. The problem was not one of research, but of the formulation of the results of research.³

¹ Lamprecht (*Die kulturhistorische Methode*, 24), while discussing the logic of the historical method, makes the following reference to Rickert's scholarly work: "Freilich kann man der Ideenlehre noch von einer anderen Seite zu Hilfe kommen. Man kann dogmatisch erklären, die singuläre Seite der Vorgänge sei in der Geschichte unter allen Umständen die wesentliche; da ihr Erfassen nur auf dem Wege der Idee erfolgen könne und die Ideen die Annahme einer historischen Kausalität ausschliessen, so sei eben die gewöhnliche herkömmliche Logik, welche auf dem Kausalitätsgesetze beruht, für die Geschichte nicht anwendbar, und es müsse deshalb deren Gültigkeit bestritten und eine neue, der Geschichte in Singulärauffassung und damit allen Geisteswissenschaften genügende Logik erst erfunden werden. Diesen Ausweg hat neuerdings ein Philosoph in der That vorgeschlagen; er braucht wohl nicht erst kritisiert zu werden." Certainly even if the book "does not deserve to be criticized," it deserves to be read carefully enough so that its contents may be correctly stated!

² In his monograph *Zur Lehre von der Definition*, 28, 29, Rickert expressed himself as follows: "Jede Wissenschaft hat vielmehr ihre eigene Methode, die sie sich selbst schafft, und die ihren Zielen und Absichten angemessen sein muss. Und wie wir das menschliche Denken nur aus dem Zwecke heraus verstehen können, dass es die Wahrheit finden will, so werden wir auch die Methoden der einzelnen Wissenschaften nur aus ihren speciellen Zwecken heraus begreifen. Wir müssen daher, um zu verstehen, was wesentliche und unwesentliche Merkmale sind, einzelne Wissenschaften gesondert betrachten. Für eine Universalmethode würde allerdings alles in der Welt gleich wesentlich sein. Für die Methode einer Sonderwissenschaft, die sich eine beschränkte Aufgabe stellt, kommt nur ein Theil des Weltganzen in Betracht, und die Unterscheidung des Wesentlichen und Unwesentlichen ist gar nicht zu umgehen. Ein Kriterium für die Unterscheidung können wir natürlich wieder nur aus der Aufgabe gewinnen, welche eine Wissenschaft stellt." See also *ibid.*, 39.

³ The fact that it is a problem of the *Auffassung*, or synthesis, with which we have to do, of the way in which the facts are put together, and not criticism, the way in which

What, then, is the end of the natural sciences, or what is the task of the natural-science concept, and how is this end attained? The world of reality is manifold, endless in extent, and infinite in variety. To enable a finite mind to comprehend this reality some method of simplification is indispensable. The task of the natural-science concept is found in this attempt to overcome the extensive and intensive manifoldness of things for the purpose of attaining a scientific knowledge of the reality. The means for the accomplishment of this task are found already existent in the language of every day. The employment of terms, or concepts, to indicate what is common to a number of objects is a process of simplification and the beginning of the natural-science method. But in the common language these general terms are inexact and need to be modified somewhat before they can serve a scientific end; they must be not only general, but definite and universally valid. Their indefiniteness is due to the difficulty of separating general terms from special associations; this is overcome by definition and by the substitution of concepts of relations for concepts of things, indefiniteness being largely associated with concepts of things from which it is practically impossible to eliminate all traces of the perceptible reality. In pursuit of its ideal the natural-science method, striving to become ever more exact, transforms the concepts of things ever more into concepts of relations, until in the most highly developed form of natural science the thing has become a final thing, an atom. In mechanics we have the natural-science conception of corporeal nature. "Natural science teaches that the reality that presents itself to us as so endlessly manifold is at bottom always and everywhere the same. All variety and all changes rest upon the movement of an unchangeable elementary substratum in space."¹ Just as mechanics works with final, imperceptible things called atoms and with a law of motion, so psychology for the world of mind deals with simple sensations—things that do not exist in reality—and the law of association. But the attainment of the ideal of the natural sciences does not depend alone upon the elimination of the perceptible from the concept, and the transformation of concepts of things into concepts of relations; it depends also upon the assumption that what is found to be true for a part of the reality is true for the whole of reality, in other words, that the concepts of natural science are universally valid.

we determine what the facts are, is an indication that the historian is progressing in the consciousness of his method. *Heuristik* and criticism do not enter into the discussion. So much has been won. This discussion will leave us with a clearer idea of what synthesis is.

¹ Rickert, *Die Grenzen der naturwissenschaftlichen Begriffsbildung*, 100

The logical sense of the term nature, then, in the expression natural science, is not the reality *per se*, but the reality interpreted, looked at from the point of view of the general or universal. The more successful the method is in formulating general concepts, or laws, and in combining these laws into systems, the nearer it approaches to its ideal, but, at the same time, the less this system contains of the perceptible reality. In the interest of exactness, the natural-science method endeavors to eliminate this disturbing element as much as possible from its concepts, but into many of the natural sciences there enters a large historical element that interferes with the attainment of the ideal. In mechanics it is entirely absent, but it appears in physics, and increases as we pass through chemistry and biology to sociology. The physicist assumes the existence of light, heat, and sound, but it might well be asked, when and where did light first appear? Naturally this is a problem that, on account of lack of evidence, will never be solved, but the historical question of the origin of the chemical elements is one that can be treated and has already been treated. The presence of the historical element in the material that the natural scientist deals with does not modify the point of view in his work nor the application of the method. Whether it be the reality of social life, of organic life, of chemistry, or physics, he always regards it from the point of view of the general; and his generalizations are valid for the portion of the reality with which he deals. As he passes from a narrower to a broader field, his laws are valid for more and more of the reality, but what they gain in comprehensiveness they lose in content. Although the laws or concepts of natural science assume the existence of the reality for which they are valid, the unique reality enters into its system only by way of example; and natural science, which aims to comprehend the reality under the point of view of the general, has no interest in the unique reality as such. No single event and no single series can be inferred from natural-science concepts that take cognizance only of the general. "We know that a certain seed brought to a certain place is fruitful; and we know that there are birds and insects that carry it; but that to exactly this place a bird or insect will bring this seed no natural scientist can foresee."¹ As natural science cannot foresee a unique event, no more can it tell us of the unique past. "Law has an ideal character, no bridge leads from it to the tangible reality."² As long as

¹ Richard M. Meyer, "Über die Möglichkeit historischer Gesetze," in *Historische Vierteljahrschrift* (April 14, 1903), 165. All that Meyer writes about the possibility of historical laws would be admitted as applying to sociological laws.

² Simmel, *Die Probleme der Geschichtsphilosophie*, 42.

its aim is to simplify the reality in order to comprehend it; as long as it works with what is common to a number of objects and not with what is unique; as long as it is forced to eliminate the perceptible in the interest of exactness, since the reality is unique and perceptible, it is evident that the nearer the natural-science method is to its ideal, the farther it is from the perceptible reality. The limit, then, to the formation of natural-science concepts is the unique and perceptible reality itself. If we desire to become acquainted with the unique and perceptible reality, we must use some other method than that of the natural sciences. That method is the method of the historical sciences.

The entire empirical reality (psychical as well as corporeal) can be regarded from a point of view entirely different from that of nature. It becomes nature when we consider it from the point of view of the general; it becomes history when we regard it from the side of the particular. Every empirical science must set out from the directly experienced reality. The most general distinction in methods is to be sought in what the different sciences undertake to do with this reality, that is, it depends on whether they seek the general and the unreal (meaning that which cannot be perceived) in the form of a concept (or law), or the reality (the perceptible) in the special and individual. To natural science falls the one task, to historical science the other.¹

The reality is unique. Nothing repeats itself and no two things are exactly alike. It is with this unique reality that historical science has to do. It cannot comprehend its endless and infinite manifoldness any more than the natural sciences were able to do, but it can comprehend a portion of the reality that could not be comprehended by the other method; it can present something of the uniqueness of the reality and at the same time retain something of its perceptibility. It must simplify in order to comprehend, but it must simplify in a different manner from the natural sciences. It finds a starting-point in life just as the natural-science method did. Besides the common names, in the vulgar speech, it encounters proper names, terms applied to unique individuals; it is a beginning of simplification. Not all unique things can enter into the historical sciences. How shall the essential be distinguished from the unessential? It is the problem of the formation of the historical concept.

But concept suggests generalization, generalization suggests law, and the seeming impossibility of any other method than that of the natural sciences confronts us at the very beginning of the investigation. The difficulty is not so serious as it seems. We cannot think, it is true, without the use of general terms (such as man, king, war, peace), and these terms must be combined to form concepts, but not all concepts are concepts with general contents; gen-

¹Rickert, *Die Grenzen der naturwissenschaftlichen Begriffsbildung*, 255.

eral terms may be so combined as to give a concept with a unique, individual content. "Some men possess military genius" and "Napoleon possessed military genius" are both concepts, both contain general terms, but the introduction of the proper noun into the last sentence makes out of it a concept with an individual content, stating what was true of but one man in all the past. There have been many military geniuses, but there has been but one Napoleon who was a military genius. Concepts without proper names may, also, have individual contents.

It is not, however, yet clear what the bond is that binds the elements of the historical concept together. It cannot be simply the unique and individual that leads us to select one fact rather than another for our historical synthesis, for all facts and all things are individual, a piece of coal being as individual and unique as a Kohinoor diamond. Its uniqueness must be bound up with its indivisibility or unity. The unity of a piece of coal matters little, that of the Kohinoor diamond everything. It loses its uniqueness with its unity. The same is true of a piece of canvas and a head by Titian, a piece of clay and a Sevres vase. The unity of the object, then, has value for us. We have to do here with a question of value, with a standard. Every object in the reality is complex and may attract the attention of the scientist either because of characteristics that it has in common with other objects or because of its unique traits. If the value of an object is due to what is unique in it, it certainly cannot enter into a general concept. Moreover, in describing it the scientist may note only those characteristics upon which its uniqueness and consequently its unity rest.

We thus reach the method of simplification applied by the historian: he chooses from the endless number of individuals those that are valuable because they are unique, whose uniqueness is inseparable from their unity, and that thus have an importance because their loss or destruction would be irreparable. Our interest in an iron band is not historical; our interest in the iron crown of Lombardy is. To overcome the infinite manifoldness of the individual object the historian selects only those features of the object that are distinctive of it, that mark its unity and render it valuable.

The use of the word value seems to introduce an uncertain and arbitrary element into the problem. Valuable for whom? How can there be any agreement among historians touching what unique facts shall be chosen? Will the history of the Reformation written by a Catholic resemble that written by a Protestant? Will the opponents of the French Revolution select the same facts for their synthesis as have been selected by the supporters of it? Undoubt-

edly, if they proceed scientifically. The question of value is not a question of partizanship nor of approval or disapproval; it is a question of importance. Is this fact important for the history of the Reformation? Is an account of the Reformation intelligible without it? The Protestant may love Luther, the Catholic may hate him, but they would agree that Luther is important for the history of the Reformation. This question of values is not decided by popular vote, by the man upon the street, any more than the laws of natural science are settled by careless, unscientific inference. They are the result of careful study and persistent discussion among scientists. The progress in historical synthesis means a growing agreement among scientific historians touching the important facts of this or that period. The historical method is thus teleological in a certain sense. The subject of an historical investigation is a unique thing, the life of an historical personage, a battle, an economic crisis, a period in the life of a people. It forms a unit and its value depends on its unity. It has beginning and end. We know what the end was, and we wish to know what the chain of events was that led up to the final event. We seek such facts, to be wrought up into a synthesis, as may be necessary to show how the end was attained.

The unique individuals with which the historian works are not necessarily persons nor are they single events; they may be the life of a people, the evolution of European society, the evolution of world society, the evolution of the visible universe. Moreover, these individuals are not isolated facts. Only art treats isolated individuals, and history is not art.¹ It deals with a related body of truth; and each of its unique individuals, each of its units, is part of a larger individual or unit and can be understood only when treated in relation to a larger whole. The Protestant Reformation is intelligible only when treated as a part of that larger whole that embraces the entire reform movement in the Latin church in the fourteenth, fifteenth, and sixteenth centuries; again, the history of the Reformation as a whole must be treated as a part of the whole history of the church, embracing the Eastern and Western churches, or it may be looked upon as a part of the historical life of Europe. The smaller unit is always related to a larger one until the limits of the visible universe are reached, for history deals with the whole of reality. This is the common practice of trained historians to-day, and yet they have been charged with dealing with isolated facts. Münsterberg confounded the formation of larger and larger generalizations, after the manner of natural science, with this grouping of

¹Jonas Cohn, *Allgemeine Ästhetik* (Leipzig, 1901), 35, 36; Münsterberg, *Psychology and Life*, chapter entitled "Psychology and Art," 145-178.

unique facts into larger and larger wholes. The difference is an important one and is the second point of difference between the two methods. In the selection of the elements for its synthesis, natural science chooses what is common to a number of facts; historical method selects what is important for the whole. What Luther has in common with other Germans might be important for the sociologist; it would not be for historians. It was just the thing that was unique in Luther, that distinguished him from other Germans, that rendered him important for the Reformation and for the whole subsequent life of Germany, that makes him an historical character. In the second place, the synthesis of natural science differs from that of historical science in that the former treats the individual fact as an example under a law, while the latter treats it as a complex part of a complex whole. In natural science, the more comprehensive the generalization, the thinner its content; in historical science, the larger the concept, so much the richer it is. The whole Reformation is more complex and richer in content than any of the parts of the Reformation in Germany, Switzerland, France, Spain, or the Netherlands, because it embraces them all. Furthermore, it should not be forgotten that while the whole is more complex and richer in content than any of its parts, the part retains its individuality and does not simply appear as the illustration of a law. If Buckle could discover no logical synthesis in the works of such a man as Ranke, it was because he was blind to every form of synthesis but that of natural science. When Münsterberg asserts that "Every science considers the single facts in their relations to other facts, works toward connections," he is simply stating what has always been the practice of historians; but when he adds "towards generalities," he is stating what is not the practice and what could not be the practice if history is to remain history. His failure to note that the relation of the fact to other facts is not necessarily that of an example under a law, of a less abstract thing to a more abstract, but may be that of a complex part to a complex whole, leads him to the illogical conclusion that the method of natural science does not differ from that of historical science.

Not only does historical science select the facts important for the whole, instead of those common to all; not only does it treat these units as parts of a complex whole instead of examples under a law; but it traces the causal connection between the facts. How can it trace causal connection without discovering laws and thus applying the method of the natural science? The confusion here is due to another misunderstanding as fundamental as those touching the selecting and grouping of the facts. Causality as a principle,

namely, that there is no effect produced in the empirical reality without a cause, has been treated as synonymous with natural law, that is, that the cause is equal to the effect. From one point of view, the cause is always equal to the effect; it is the point of view of natural science and is true only when we have eliminated what is unique from the series. From another point of view, the cause is never equal to the effect; it is the point of view of historical science. In the first case we speak of causal law; in the second, of causal connection. The points of view are complementary. I describe the battle of Waterloo and trace the causal connection up to the great disaster; I may find small causes producing big effects; it is the truth from one point of view. It cannot be denied that the natural-science method may be applied to the study of the material from which I constructed my historical synthesis, and may produce something quite different. Neither synthesis is false. The points of view are different; that is all. Because paper may be used for writing a letter does not debar us, on an occasion, from using it to light a fire.

The logic of the historical concept is not yet complete. History deals with the reality, and the reality is ever in motion. Our concept must be enriched by the idea of evolution. The expression has many meanings; it is necessary to fix upon one of them as containing the historical idea. Historical evolution means not simply motion, nor change, but a change that is unique and is important on account of its uniqueness. Motion and change, being common to all reality, cannot be the forms of evolution that we are seeking for. Natural science may treat of changes that are repeated and may formulate the laws of change. Sociology, dealing with social data from the point of view of the general, may trace the general process of social evolution, deriving its generalizations from several series of social changes. But a change that is historical must not only be unique, one that has never appeared before and can never appear again in our world, but it must be important on account of its newness. The evolutionary series that the historian constructs is teleological; it has a well-defined beginning and end, and passes through certain definite stages; each stage is important *per se*, and the individual facts are important because they contributed to a certain result.

There are two peculiarities of the absolute historical concept that still remain to be noticed. The natural-science concept is rendered definite by eliminating, as much as possible through definition, the perceptible that clings to the concept. The historical method, whose aim it is to keep as close as possible to the percep-

tible reality; cannot employ this method. It renders its concept definite by producing a clear image of the person or event that it is treating. It often uses for this purpose more material than appears to be logically necessary. The historian, to make definite the concept of Luther, of Napoleon, or of Bismarck, of the Diet of Worms, the retreat from Moscow, or the crowning of the Prussian king at Versailles, uses such material as may be necessary in his judgment to render perceptible the uniqueness of the person or the event. It is this end in view that justifies the description of personal traits, the reproduction of characteristic sayings, and of photographs of persons and places. The second peculiarity is encountered in the treatment of causal connection.

Every actual evolutionary series forms a continuous whole, but if it is divided into definite, teleologically essential stages, the gradual transition from stage to stage is destroyed. A science of the reality cannot permit such gaps to exist, but must fill them out with causal beginnings, that the various stages may be at the same time teleologically distinct and causally connected with one another. Everywhere where this is necessary, constituent parts of the reality become essential that are not teleologically necessary.¹

This accounts for the appearance of secondary persons and events. In the interest of causal connection the writer of an historical biography may and does introduce secondary individuals and events, simply in the interest of causal connection or explanation.

The form of the absolute historical concept is now complete. In forming his concept the historian employs general terms, but he combines them to form a concept with an individual content; the natural scientist forms concepts with general contents. The historian selects unique objects, important for the whole that he is treating, and selects the features of the object that render it important for the whole group; the natural scientist selects the features that are common to all the members of a group. The historian combines his unique, complex individuals into ever larger and more complex wholes, rendering them definite by retaining as far as possible their perceptible characteristics, and tracing the causal connection; the natural scientist forms his concepts into systems that are ever more comprehensive and consequently less complex or more abstract, and seeks for natural laws in which the cause is treated as equal to the effect. The natural scientist deals with the changing reality, but with changes that repeat themselves and thus render generalization possible; the historian deals with a unique teleological series with definite parts, but bound together in the interest of causal connection by elements that are not teleologically essential.

¹Rickert, *Die Grenzen der naturwissenschaftlichen Begriffsbildung*, 474.

Were we permitted to deal solely with the absolute concepts in natural science and in historical science, the misunderstanding between the two groups of scientists would be of but short duration. Unfortunately for the peace of mind of truth-seeking men, there are also relative historical concepts; and, more unfortunately still, a relative historical concept does not differ in form from the relative concept in natural science, or the concept that is valid only for a portion of the reality. To render the situation even more confusing, it is possible to have a historical concept that is more comprehensive than a scientific concept. This fact would seem to point to the unsoundness of the claim of the historian to the possession of a method logically different from that of the natural scientist. Every historical narrative contains concepts made up of elements that are common to a group of objects. The description of the condition of the French army on the eve of the Franco-Prussian war, of the German peasants in the time of Luther, of the French peasants under the old régime, deals with a group and forms a concept from what is common to a group and seemingly forms a general concept. This fact does not, however, change the logic of the historical method. The resemblance between the two methods is superficial. Just as the natural-science method, although dealing with a limited portion of the reality, into which the historical element enters, regards it from the point of view of the general and forms concepts valid for all the reality under investigation, so the historical method treats its large groups as unique, complex wholes and selects only such features of the groups as may be sufficient to characterize it. The aims are different; one concept is relatively general, the other is relatively individual. To base a logic of historical method upon concepts with general contents would be impossible, as there is no means of knowing before investigation whether the historically important in a certain portion of the reality can be exhausted by relative historical concepts.

Rickert does not conclude his treatise with the discussion of the logic of the form of the historical concept. He devotes a chapter to the content of the concept, for the purpose of making clear why man is the center of all historical syntheses and why the values with which the historian deals are culture or social values. He goes even further, and realizing that the question may be and has been raised as to whether history, even if it be a science, may make the same claims to objectivity as natural science, he turns in the last chapters of his book to the consideration of this problem and shows that the *apriori* of natural science outnumber those of historical science.

The compression of the arguments of a closely-reasoned work of seven hundred and forty pages into a score of pages is a thankless task and can never serve as a substitute for the original work; it can give little more than conclusions. The arguments justifying these conclusions must be sought in the work itself. It is no new method that Rickert has given; he has endeavored to show that the method that the historian has always employed and employs to-day is the logical one for him to use for the attainment of the end that he has in view; he shows, furthermore, that that end is justifiable and history is even more empirically objective than natural science. As social facts are a part of the empirical reality, he shows that a natural-science point of view is possible for society and that it may even be possible to formulate the laws of social evolution—but these laws are not historical laws, the laws of a unique series. An historical law, a law of what has happened but once and cannot happen again, is a *contradictio in adjecto*.¹

The sociologists and the historians should endeavor to understand each other. At the conclusion of a review of Rickert's logic, based upon an article that gave, and intended to give, only a partial view of it, Lacombe seemed to realize that the difference between the methods of the sociologist and of the historian is due to a difference in point of view, and exclaimed: "Truly, at the end, it seems to me that our debate reduces itself and ends in very small proportions and amounts simply to this: M. Rickert says, 'What you call sociology may be what you will, but not history; I refuse to give it this name, this title.'—And I reply: 'Very well, so be it. We will reserve the name of history for the exposition of past events, such as has been practiced by that kind of studies in all times; but we shall continue to study events in an entirely different manner from you; we shall choose in the matter, in the historical reality, other aspects, other relations than those that alone have the privilege of interesting you; and we shall form a science different from yours. This science will be called sociology or philosophical history, or scientific history, it matters little what, but it will be always history, in this sense, that the historical fact, the human past, will always, indeed, be the object of our science as it is the object of yours.'"

When a sociologist writes like that, the discussion must be near its end. If historians and sociologists can agree that both deal with the past of society, but from different points of view; that one looks at it from the point of view of a unique evolution, and the other from the point of view of general facts and laws; that as their ends

¹ *Ibid.*, 258.

differ, their methods must differ; that there would be no confusion if we retained the term history for the older point of view and employed the term sociology for the later—if these fundamental points could be agreed upon, the debate would be over. Much that has been written in the course of the debate, from Comte to Lamprecht is beside the mark. To argue that the natural-science method can be applied to the study of social facts is not to argue that the historical method is outgrown or that sociology can take the place of history. That would seem to be the fundamental defect in the position of Lamprecht. The historical method has not failed to keep abreast of the other sciences because it has not transformed itself into a natural science.¹ Historical method has progressed, not only in criticism, as Lamprecht acknowledges,² but also in synthesis. How can any intelligent man who is not blinded by the belief that the natural-science method is the universal method compare the syntheses of European history produced in the past one hundred years with the syntheses upon the same subjects that were the products of preceding centuries, and say that the modern syntheses are not sounder and more scientific, that we are not working out a synthesis that will finally be accepted in its main outlines by scientific historians the world over? Even to-day historians are agreed upon the general outline of European history, and if they do disagree upon details, so do the natural scientists. Because these latter gentlemen cannot agree upon so fundamental a thing as whether acquired characteristics are transmitted, nobody thinks of substituting the historical method for the natural science method or of dubbing biology an art.

Buckle was both harsh and hasty in his condemnation of historians. To characterize as intellectually inferior the men whose names lend dignity to the long list beginning with Herodotus and extending, in his day, to Ranke, is pardonable only on the ground of youth. That he could not see that men were beginning to examine social phenomena from a new point of view, but that the new point of view did not render the old superfluous, is more intelligible. It is less intelligible after the discussion has lasted for a half-century, after sociology has taken shape and it is known that it is not history and cannot take the place of history. At a time when historical synthesis is steadily increasing in quantity and improving in quality, and when logic itself has at length justified the historical method, it would seem that the time had come to cease treating the

¹ See the pertinent remarks of Xénopol on the natural growth of a method, in the *Revue de Synthèse Historique* (October, 1901), 174-176.

² Lamprecht, *Die kulturhistorische Methode*, 16.

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TWO LIVES OF THE EMPEROR CHARLES V.

ROBERTSON'S *Charles V.* appeared in the year 1769 and has since gone through some three dozen editions. The author was paid 4,500 pounds, the largest sum ever received for a work on history up to that time. His praises were loudly sung by many of the greatest men, and even Gibbon expressed himself as proud to be mentioned in the same breath. But perhaps the strongest proof of the estimation in which Robertson has been held is the fact that from that early day until 1902 there was no attempt in the English language to write a history of the period on a similar scale. The man who ruled over more territory than any other king or emperor since Roman times, the man whose reign saw the rise of the Protestant faith, was left without a modern biographer; and generation after generation of English readers was obliged to content itself with that which Robertson had offered.

The appearance, then, of a most careful and thoughtful work¹ by a thoroughly equipped Oxford scholar is a great event for the student of history. Not only is our actual knowledge greatly increased, but we are furnished with a point of vantage from which to look back and see what progress has been made in this field during the past century and a quarter. But first a word must be said about the relative scope of the two works, and it must be noted at the outset that Robertson's introductory "View of the State of Europe," which is the most scholarly part of his work, has no counterpart in Armstrong; that the latter treats of certain topics relating to the New World which Robertson reserves for a separate volume; and that, finally, Armstrong ends his work with 1555, the year of Charles's abdication, while Robertson continues to the Emperor's death in 1558. This latter circumstance is the more curious as Robertson professes to be writing a history of the *reign* and Armstrong of the *life*—distinctions, indeed, which are not logically adhered to by either writer. One last, important difference is, that Armstrong's work is more of a study, Robertson's more of a narrative; the one looks at a question from all sides, the other seems chiefly bent on the artistic representation of a scene or an

¹ *The Emperor Charles V.*, by Edward Armstrong, M.A. (2 vols., Macmillan, 1902).

episode. Here we have, it seems to me, one of the chief contrasts between the old and the new history writing. The present tendency is towards a descriptive and interrogatory style, whereas formerly we had story pure and simple.

One of Robertson's cardinal faults, which does not seem to have troubled his contemporaries, is a one-sidedness and partiality so serious that it is doubtful if a modern critic would have found a word of praise for the book. This is no history of the reign of Charles V.; it is a history of the Reformation, enlivened by details of Charles's campaigns. Martin Luther, not Charles, is the hero; it is Luther's youth and development that are followed at the greatest length; it is of Luther's character that we learn the most details; it is the difficulties that beset Luther and the Protestant princes, not those that beset Charles, that really interest Robertson. Charles, against whom Robertson seems throughout to feel the greatest personal animosity, has been chosen as the merest foil. His reign is a convenient background for church history, that is all; and in his enthusiasm Robertson goes back to the Waldensians, to Wycliffe and Huss, to the Great Schism and the councils of Constance and Basel, to the wicked popes and ecclesiastics of the end of the fifteenth century. We have disquisitions on clerical courts and on clerical immunities, on the manner of taxing the clergy, on the conferring and the reserving of church lands. Robertson credits himself, indeed, with having "avoided entering into any discussion of the theological doctrines of popery," but we are forced to the conclusion that the reader's escape has been but narrow. In secular affairs, except perhaps for Spain, we have no analogous treatment—no characterization of persons, no genesis of institutions. The Empire is a vague generalization; Charles is always "Emperor of Germany." In the "introductory view" there is, indeed, a superficial account of the German diets, which represents those assemblies as "originally . . . exactly the same with the assemblies of March and May, held by the *Kings of France*," and a still more superficial account of the electoral college, in which no mention is made of so important a document as the Golden Bull of Charles IV. Of the early history of the Netherlands and their connection with the Empire, of the so-called Burgundian Circle, of the treaty of 1547 between the Empire and the Netherlands that fixed the relations of those two powers, there is never a word.

Another fault that a modern critic would never pardon is the incomplete use even of the authorities that were easily obtainable at the time. Robertson on one occasion says frankly, "As the several books which contain the information necessary towards dis-

cussing this point with accuracy, are written in the German language, which I do not understand, I can not pretend to enquire into this matter with the same precision wherewith I have endeavored to settle some other controverted facts which have occurred in the course of this history." He might have said the same for the Dutch language and possibly also for Spanish. One can readily estimate the value, from a modern point of view, of a history of a Catholic ruler over Germany, the Netherlands, and Spain, compiled almost exclusively from French, Italian, and Latin Protestant sources! Just so, for matters pertaining to the rivalry of Francis and Charles, Robertson frequently relies on the sole authority of de Bellay, a Frenchman and a general of Francis. For the war with the princes of the League of Schmalkald he takes page after page from Sleidan, the official Protestant chronicler of the league. It is true his authorities are all "original sources," a fact which must have greatly imposed on his contemporaries. But an "original source," if inspired by religious or national prejudice, is the worst possible guide. Even a good source is often best studied through the medium of a competent commentator who will point out the best text, the best interpretation, and the particular application; yet this kind of a guide Robertson seems consistently to have scorned.

In comparison with Robertson, Armstrong's array of authorities is most imposing. After citing in five lines the works that go to form the earlier writer's chief stock in trade, he mentions some thirty great collections of state papers, letters, and diplomatic reports, of acts of diets, and of military and other memoirs; while the preliminary list of modern authorities fills four pages, and throughout the book are scattered numerous references to valuable monographs on special points. Neither Armstrong nor Robertson has used manuscript material, and neither, unfortunately, has made critical remarks, or has given his reasons for accepting or rejecting any particular statement.

If we cease generalizing and turn to individual topics, we shall learn to distinguish with more precision between the achievements of the earlier and those of the later historian. Almost at the outset we are met by an instance of Armstrong's determination to avoid anything like the narrative style or the sonorously rounded periods of his famous predecessor. Be it said in parenthesis that his style is even too careless and colloquial, as when he speaks of Charles as the "travelling director of the Hapsburg syndicate" or says in the language of foot-ball that in war "tries" count not for, but against the side that makes them. To the whole dramatic episode of the contest for the imperial crown Armstrong devotes

little over a page, on the plea that Charles had contributed almost nothing to his own election, and that he, the biographer, means to concern himself only with what personally affected his hero. But surely in this Armstrong has gone too far. Even according to his own reasoning, he should have mentioned the *Wahlcapitulation*, or bill of rights which the electors wrested from the successful candidate; for in this document Charles made agreements which more than once hampered him in the course of his reign. For instance, the leniency shown to Luther in according him a hearing before the Diet of Worms seems to have borne direct relation to the promise to place no one under the ban of the Empire without formal proceedings. For Robertson the famous diet itself is merely an arena in which Luther is to display his bravery; and all the constitutional matters, some of them of great importance, are disposed of in a paltry ten or twelve lines. Armstrong, on the contrary, devotes many pages to showing how during these months while the diet was in session all the great problems of the reign were being formulated—constitutional reform; the attitude to be observed towards the knights and the peasants; the relations with the French, the papacy, the Turks, the Castilian communes, the New World. We learn the political tendencies that were working in Luther's favor, and just why his teachings were likely to become popular with the princes as they already were with the lower classes. We are brought to see plainly why it was that Charles could not possibly consent to the Pope's demand for the immediate condemnation of Luther; how the hearing before the diet marks an important epoch in the life of Charles fully as much as it does a supreme moment in Luther's career; how the young Emperor stifled public discussion by his bold personal intervention; and how bravely, finally, he stood up for his own rights on the whole question of constitutional reform. He could not prevent the establishment of a governing council, but he prevented the serious curtailment of the imperial prerogatives, and so weakened the original proposition that the council, in point of fact, never came into active rivalry with him.

When we come to the happenings in Germany between the Edict of Worms in 1521 and the religious truce of Nuremberg in 1532, we find ourselves in a world almost unknown to Robertson. There is no mention of the Knights' War, nor do the names of Hutten and Sickingen so much as occur in his pages. The governing council is not referred to again. There is no real explanation of the various economic and other causes that drove the peasants to their great revolt. In treating of that struggle itself the misrepresentations are almost ludicrous. The princes, "unwilling to shed the blood of

their deluded subjects, sent a young nobleman to their camp, with the offer of a general pardon, if they would immediately lay down their arms," which unwillingness to shed blood was certainly not apparent later. What the princes really did was to lure the poor peasants on with false negotiations until they themselves could raise and equip their armies. It is Sleidan who leads Robertson to say that "during these commotions Luther acted with exemplary prudence and moderation; like a common parent, solicitous about the welfare of both parties, without sparing the faults or errors of either." No word about the terrible writing "against the murderous and rapacious hordes of the peasants," who are called "brands of hell" and "limbs of Satan," and are consigned to the merciless princes to be "struck down, throttled, and stabbed in secret or in public." There is not much "exemplary moderation" about phrases such as these. Armstrong is entirely in accordance with the evidence when he declares that the reformer "had thrown himself with unseemly violence on the side of authority, and had hounded on the nobles to the extirpation of the wretches who had misunderstood his far from obvious meaning." Naturally Robertson knows nothing of the great cleft that Luther's attitude brought about between himself and the common people, of the change in the reformer's views as to a priesthood emanating from the masses, of his turning and placing his hopes on the territorial princes. All this is admirably brought out by Armstrong: "Luther, shrewd and versatile as he was passionate and stubborn, saw his opportunity and threw his whole energy into the service of the princes. If his doctrines were to survive, they must be associated not with the declining but with the rising element, the territorial state. He had once for all had his fight; he was by nature too conservative, and also too sensible, to be logical or consistent. He had done with the priesthood of the individual, the absolute liberty of conscience, the entire freedom of religion from the state, the election of the ministry by the congregation. Obedience to authority was now to him the first and great commandment. . . . Luther was twitted, not without some reason, with having become a Pope."

In the chapters devoted to the revolt of the communes of Spain, to the wars against Francis I. in Italy, and to the expedition against the Barbary corsairs, we find the old difference of treatment: Robertson narrates, Armstrong investigates and explains. The latter is always in search of motives, causes, and characteristic features; the former's one endeavor seems to be to spin out dramatic episodes to the utmost possible length. It is a pleasure to follow Armstrong as he unfolds the national, religious, social, and economic elements

that caused the Spanish troubles. He makes clear to us what was the actual area of the revolt and compares the disturbances in one section with those in another. With regard to the famous rivalry between Charles and Francis, he shows that it had its origin, long before the imperial election, in a series of bitter humiliations inflicted by Spain upon France. He leads us through the tangled maze of Italian politics with a sure hand, showing the motives and aims of all the powers, large and small. On the question of Charles's responsibility for the sack of Rome he dwells at some length, showing that the Emperor was so far away that it required three months for his communications to reach the army, and that none of his commands or instructions contemplated anything more than an armed demonstration under the walls of Rome. In connection with the African expedition we are told just what comprised the African possessions of Spain, and why their retention was such a vital question.

The diet of Augsburg of 1530 gives Robertson a new opportunity of commiserating these Protestant princes, who are always being intrigued against and wronged. They seem to him so good, so single-minded, so obedient! "At the Emperor's desire, all the Protestant princes forbade the divines who accompanied them to preach in public during their residence at Augsburg"; their zeal "was then of such strength as to overcome attachment to their political interests." As a matter of fact the princes flatly refused to silence their preachers, or even to have them avoid contentious topics, until Charles asserted his right, as head of an imperial town, to decide what form of religion should be tolerated in his presence. Nor does Robertson mention the bitter enmities at this diet between the Protestants themselves—Melanchthon's avoidance of Bucer, Philip of Hesse's refusal to hear the sermons of Agricola. There is no word about the *Tetrapolitana*, or separate confession of faith handed in by the four Zwinglian cities of south Germany. Indeed, all through these volumes Zwingli is only once mentioned, and then as an ally of Luther. Of such a scandal as the bigamous marriage of Philip there is not so much as a hint. Yet that scandal to-day is considered a most striking symptom, if not the actual cause, of the decline of the Protestant party. Not merely were Luther and Melanchthon severely discredited by their acquiescence in the marriage and by their official countenancing of lying and deceit, but Philip, overwhelmed by the reproaches and scorn of his own friends, went over to the enemy and became the Emperor's ally, receiving a promise of indemnity for the past and protection for the future. It is true he reserved the right of returning to his colleagues should

they be directly attacked, but he did harm enough to his cause by engaging to oppose the admission of England, France, and Guelders into the Schmalkald League. He was a traitor to his cause, for his dealings with Charles were kept a secret.

But it is time for us to turn from a discussion of special episodes to what is, all in all, the most interesting question: how does the Charles of Robertson's pages compare with the man described by Armstrong? Since the Scotch divine wrote his work a great deal of new evidence has come to light, and of the most direct and conclusive kind. We have whole correspondences of the Emperor himself with different members of his family, public and private documents emanating from ministers and from foreign ambassadors, instructions for the guidance of Charles's son. It is important to note, therefore, how far the conventional picture has had to be redrawn. It is true Robertson disclaims any intention of dwelling on the personal, private virtues of the Emperor, reserving his forces for great European movements; but as a matter of fact he is never chary of giving his opinion, and the fact that the disclaimer comes at the end of the book and is joined to a complaint of the difficulty of finding material on the subject robs it of much of its force.

It must be said at once that the Charles of Robertson is one of the most shadowy and unreal persons that ever looked forth from the printed page of a history. He is an imaginary type, not a man who once lived and breathed. He is the conventional ogre of the childish fairy tale, the very Antichrist of the pious Protestant. His "insidious and fraudulent policy" is contrasted with the "open and undesigning characters" even of a Francis I. and a Henry VIII. Throughout one whole portion of the book his name is rarely mentioned without the accompanying epithet "the artful," or other words to convey the same idea. He is always engaging in "intrigues" or concocting "schemes." His own distinguishing characteristic is an "insatiable ambition," an ambition "so rapacious as to be restrained by no consideration either of decency or of justice." He acts "with the mercenary heart of a corsair"; "his ambitious views enlarged in proportion to the increase of his power and grandeur." We hear much of the Emperor's "arrogance." He is "so intoxicated with a single victory as to imagine that he might give law to mankind." "He aimed at rendering the imperial crown hereditary in his family and would, of course, establish in the Empire an absolute dominion." He "gave law to the Germans like a conquered people." We hear of him "boasting of his own power and exploits with insolence." There are a few scanty words of praise for endurance and bravery in the African expedition; and in the

summing up on the occasion of Charles's death there are tributes to one or two other virtues. Everywhere else the cloven foot is brought into prominence. There are reiterated charges of hypocrisy: "notwithstanding the specious veil of religion with which he usually endeavored to cover his actions, Charles, in many instances, appears to have been but little under the influence of religious considerations." When we come to the arrest and imprisonment of the Protestant leaders, Philip of Hesse and John Frederick of Saxony, Robertson's powers of denunciation reach their culmination. In not keeping the bond which the Elector of Brandenburg and Maurice of Saxony had given to Philip, Charles "abrogated at pleasure the most sacred laws of honor and most formal obligations of public faith." "The state of subjection to which the Empire was reduced appeared to be more rigorous as well as intolerable than that of the most wretched and enslaved nations, if the emperor, by an arbitrary decree, might cancel those solemn contracts which are the foundation of that mutual confidence whereby men are held together in social union."

If now we take up the allegations of Robertson and examine them in the light of the very thorough investigations made by Armstrong (who, however, never himself criticizes his predecessor), we shall find Charles turning from a shadow into a thing of flesh and blood. At times he is very human indeed, and far more genial than we are accustomed to imagine him. When entering Siena in 1536, he "was radiant with smiles; he would rein in his horse and joke now with one citizen and now another." "Spying a little Piccolomini, a very pretty child, carried in a servant's arms, he called him up, looked earnestly on the child's face and kissed him." At Aigues Mortes in 1539 he visited his rival Francis I., and the two dined together: "At the dance which followed they would stand, now arm in arm, now hand in hand, bandying jokes with this lady and with that: never had Charles been seen to laugh so heartily." At Innsbruck he once "made as though he would kiss the younger ladies, but disengaged himself as soon as might be from those of riper years" (the words are those of an old chronicle). Armstrong's picture of Charles is all the more trustworthy because he is never his unconditional advocate. The Emperor's slowness, his irresolution, his occasional obstinacy, his lack of original conception are nowhere concealed, and once his policy is declared inexcusable. What Armstrong invariably does, however, and what Robertson as invariably omits, is to show the other side of the case—the tremendous provocation, the patient endurance up to that time, the impossibility, occasionally, of taking any other course. It was, indeed,

an overwhelming task for one man to look after so many realms, confront so many different enemies both at home and abroad, solve so many religious, political, social, commercial, and colonial problems.

Robertson's charge of artfulness is too vague to concern us for more than a moment. From our wider point of view it is difficult to understand why the epithet could not just as well be applied to every great ruler who has had to deal with several enemies at the same time. Frederick the Great, Napoleon, Bismarck were all infinitely more artful than Charles; Charlemagne, perhaps, was not; he had no coalitions to fear, and simply struck down opposition wherever he found it. That Charles V., like any modern diplomatist, refused to carry his plans upon his sleeve; that he often temporized with one set of enemies while sore beset by another; that he concealed his joy at the occasional straits of the Pope and the French king, though outwardly preserving a semblance of decent regret—all this does not constitute an artfulness that must stigmatize his life. As well affix the epithet "the perjured" to every mention of the name of Francis I. Surely Charles never committed an act that even distantly approached in perfidy the French King's premeditated breach of the treaty of Madrid! As a matter of fact, Robertson is so permeated with the idea of Charles's vast, illimitable ambitious designs that he looks upon him as passing his life in trying to conceal them. Never once does he grasp the Emperor's real aims, never once does he appreciate the constant striving for national as well as religious unity, or that composure under adverse circumstances which Melanchthon himself termed "marvellous and glorious."

Armstrong disposes of the charge of overweening ambition, indirectly but conclusively, by showing that the Emperor had a great respect for law and for parliamentary institutions, and that he frequently bowed to adverse judgments; that his aims were actually too conservative for his own good or for the good of Germany: "Throughout this diet [the 'armored diet' of 1548], held at the moment when Charles was at the summit of his power, there is no trace of the autocratic spirit of the *hoc volo sic jubeo*. For each of his proposals he had patiently courted the support of public opinion; he had wished the national representatives to take the initiative. Whenever he was assured that popular feeling was against him, he bowed to it, and withdrew or modified his most cherished schemes. . . . From first to last his attitude was defensive, forced upon him by the movements of his enemies. . . . He never clutched at what was not his own." We have at this juncture Charles's most private instructions for his son Philip — instructions which amount to a polit-

ical will and testament—and they breathe the very spirit of conservatism. Philip is to avoid provocation and only to fight under compulsion. He is to maintain the *status quo* wherever possible, to lighten the burdens of his people, and to rule them with justice. Over against the accusation that Charles aimed at absolute dominion Armstrong places the facts that diets in Germany were called so frequently as to displease even the Protestant princes, and that the Estates General of the Netherlands met more than fifty times during this reign. All that Charles asked for after his great victory at Mühlberg was a closer confederation of all Germany on the model of the Suabian League, and even this proposition he let fall under the opposing fire. This was the one moment when, had he wished it, he might possibly have become absolute; yet he repudiated all advice to that end, and continued, as Armstrong puts it, “to listen as usual to the clamors of the more pushing Protestants and the shrieks of disappointed Catholics.”

Of all the charges brought by Robertson none seems more unfounded than that of hypocrisy. It would be hard to prove a single case where Charles “endeavored to cover his actions with the specious veil of religion.” Although more tolerant than the Pope and the Catholic princes, and far more so than the Protestant princes or than their more modern advocate, he was continuously and consistently loyal to the faith that he professed. He lived for it; he fought for it; and rather than be untrue to it and make a disadvantageous peace with the heretic, he abdicated his throne and gave himself wholly to the observances which that faith prescribed. It is true that once, under excessive provocation from the Pope, he declared that Luther after all might prove a useful man; it is true, too, that he once accepted money from the Moors as a condition of procuring the modification of an edict of the Inquisition; but those are isolated matters not fully understood, and by no means prove that he was a hypocrite. His desire to see the truth prevail seems to have been thoroughly sincere, and in the matter of disputed points of doctrine he always sought the aid of his theologians. He wished peace with the Protestants on the basis of mutual comprehension, to which end he instituted numerous conferences. The Confutation of the Augsburg Confession was returned to its authors no less than five times, to see if its tone might not be softened; and as a last hope, the Emperor even appointed a committee of seven Catholics and seven Protestants to discuss disputed points. Armstrong thinks that Charles in the end had absolutely no option but to accept the Confutation. Had he been ever so yielding to the Lutherans, yet “had his sentence differed a hair’s breadth from the

opinions which Luther at that crisis held, it is unquestionable that no Lutheran, except perhaps Melanchthon, would have accepted it. . . . Luther, directing or abusing the Lutheran disputants from his retreat at Coburg, was less the hero of the hour than Charles, who day by day bore the turmoil and the tedium, flouted by Protestants, thwarted by Catholics, yet never losing his composure, never forsaking his conciliatory attitude."

According to Robertson, Charles in 1546 went to war against the Protestant princes solely on account of their religion, though professing other objects; treated the conquered leaders with great cruelty and injustice; and, finally, in the most arbitrary manner imposed the "interim," or temporary norm of faith, on Germany. That a religious element entered into the war is not to be denied; indeed Charles was obliged to emphasize that element, probably more than he wished, in order to consummate the much-needed alliance with the Pope. But he was not hypocritical in contending that he was aiming at the suppression of disobedience rather than of dissent. Armstrong points out that several Protestant princes fought on Charles's side and that those who remained neutral were not molested. In the terms of peace with the towns, religion plays a very small part, and no extra hardship was inflicted on John Frederick for refusing to submit to the decrees of Trent. It was the Protestants themselves who sought to give the war an exclusively religious form: "in a papal country," John Frederick told the burgomaster of Aschaffenburg, "there is nothing neutral." On the whole, Armstrong makes it clear that the war was bound to come, even had Luther never been born and the Reformation never taken place; and he reaches the conclusion that the princes frustrated union with Charles rather from political than from religious motives. What they really feared was imperial consolidation, and to prevent that they were willing to call in the French, the Turks, the English, or even the German papists. Charles had avoided war for thirty years, but it could be avoided no longer if he was to remain master in Germany. The main institutions of the Empire had too often been set at naught; its territory had been seized by individual princes who neither asked for nor received imperial investiture. The Elector of Saxony and the Landgrave of Hesse had declared their contempt for diets; there had flowed a steady stream of seditious pamphlets; Luther himself had declared that the Emperor was no true emperor, but a tyrant and a devil.

Charles's treatment of the Elector and the Landgrave was not generous, but Armstrong shows that it was not altogether unjust. The list of grievances against the house of Wettin was long and

black. Frederick the Wise had defied the Edict of Worms by hiding Luther in the Wartburg; his successor had drawn up the "Protest" and helped to form the League of Schmalkald. John Frederick himself had aided the rebellious Duke of Cleves and had raised revolt against Ferdinand in Bohemia. The Landgrave of Hesse had intrigued with every one of the Emperor's enemies. Philip's friends maintained that Charles had played the Landgrave horribly false in not keeping the promises made and briefed by the Elector of Brandenburg and Maurice of Saxony. As it happens, a draft of the original agreement exists, and it shows the hollowness of this contention. Philip, indeed, seems really to have been deceived; but the fault rests with the intermediaries, not with Charles. Maurice was warned at the time that he was pledging too much.

Not the least of Charles's alleged crimes was the attempted enforcement of the "interim," which was dubbed at the time a "strait-jacket for Protestantism." Yet even for this Charles is not wholly responsible. Even after his decisive victory he did everything to associate others with him in dealing with the old, unsolvable problem, and again appointed a mixed committee. But, to quote Armstrong, "neither party would stir a finger to promote the peace for which both clamored, nor was either prepared for mutual toleration." And here comes the strangest rectification of Robertson, who intimates that the interim was thrust upon the Protestants by the Archbishop of Mainz's suddenly rising and constituting himself the mouthpiece of the whole diet assembled. As no one had courage or presence of mind to oppose, the whole measure was considered passed without debate. In point of fact the Lutherans, treated with separately, had accepted the interim without much demur; "the Catholics, however, who regarded themselves as victors, although they had contributed nothing to the victory, offered violent opposition." It was as *their* mouthpiece when they did finally acquiesce, that the Archbishop of Mainz, whose "presumption" Robertson considers so "unprecedented and unconstitutional," rose up to express assent. But on the matter of making the interim equally applicable to both parties, the Catholics were inflexible, and that was what made the measure so odious to the Protestants. It became a compulsory, invidious decree, which was far from what Charles had intended; as such it was laughed to scorn and became a dead letter.

In the space at command it has been manifestly impossible to do justice to the more positive excellencies of Armstrong's book. I am inclined to think it one of the calmest, most dispassionate, most

scholarly works on modern continental history ever written by an English pen. It gives an entirely new picture of Charles, a picture that appeals to the sympathies and that strikes one as true. In his final summing up Armstrong designates the Emperor as, "all deductions made, an honorable Christian gentleman, striving, in spite of physical defects, moral temptations, and political impossibilities, to do his duty in that state of life to which an unkind providence had called him. It was not his fault if—to alter a single word of Morosyne's conclusion—'all was a good deal better meant than he could do it.'"

ERNEST F. HENDERSON.

THE FAILURE OF THE HUMBLE PETITION AND ADVICE¹

SINCE a compromise never meets the wishes of any considerable party, it must justify itself by its success in securing the objects desired by its supporters. If the Humble Petition and Advice actually brought "settlement" to the nation, even those who were originally discontented with it would soon give in their adhesion. On the other hand, if it failed in securing this desirable end, all these lukewarm supporters would soon be active opponents of the new government.

In case the Humble Petition and Advice did succeed, then the opinion that the cause of civil government had won a considerable victory would be justified. It soon became apparent, however, that success could not yet be claimed, but that another trial of strength must be made between the army and the sectaries on the one hand, and the staunch upholders of the Humble Petition and Advice on the other. All the supporters of kingship could by no means be counted among the adherents of the new government, since many of them were irrevocably hostile to any government which did not include monarchy; while others, probably more numerous still, were at the best only lukewarm in support. It is true that the compromise had, for the time being, secured the support of Desborough and Fleetwood. But their adherence was of little moment unless they could carry with them a considerable party. It is doubtful, however, if Desborough had any following of importance; while Fleetwood could not possibly secure the allegiance of the larger number of the sectaries, some of whom already reproached

¹ This paper forms the concluding portion of an independent study of the last attempts to settle the government under Cromwell. The two preceding portions related to the failure of the Instrument of Government and to the Humble Petition and Advice and the attempt to make Cromwell king. But while they were receiving their final preparation for the press, there appeared successively Mr. C. H. Firth's two articles in the *English Historical Review* (XVII. 429, July, 1902, and XVIII. 52, January, 1903) on "Cromwell and the Crown," and the first chapter of Mr. Gardiner's fourth volume. These cover so nearly the same ground as the papers described that I do not deem it expedient or useful to print them, though a mention of them seems almost necessary toward explaining the existence and the limits of the present paper.

him with being recreant to the "Good Old Cause."¹ Their support, therefore, could have been of no great moment, and they were determined that no further change should take place.

In this attitude they would be supported by the sectarian party, which had always been fostered by Fleetwood and which still exercised vast influence over the Protector. "That gang," as Henry Cromwell stigmatized it, would certainly hinder settlement. Apparently they feared that kingship had only been deferred, especially since the Humble Petition and Advice, as finally adopted, retained the "other house," or House of Lords. They omitted no opportunity, therefore, of putting difficulties in the way of further change. Many of the soldiers in England thanked Cromwell for his refusal of the title; and attempts were made to secure from some of the Irish officers similar congratulations, apparently without Henry Cromwell's knowledge, though perhaps with that of Fleetwood, who was still lord deputy.²

The irreconcilability of interests is vividly portrayed in a letter of Richard Cromwell's to his brother: "Your owne affaires in the entring into them," he wrote, "gave you some sight of persons, whose designe hath been for a long time layd to take roote, for the hindring Nationall advantages, in settlement, where it might occasion difficulty to there getting into the saddle, respecting there owne ambitious mindes, and advantages before Religion, peace or what else that may stand in there way. I dare not be plainer, as to particulerrize persons, or things, nor need I, you having knowledge of the ffoxes by his Smell." Without doubt Richard referred not only to Lambert, but also to Desborough, and to Fleetwood and his "mad party"; for Henry's entrance into the government of Ireland could have given him insight into the designs only of Fleetwood and those who supported or, rather, led him. In Richard's opinion the conflict of factions was so intense and so irreconcilable as to forebode ruin to the state. "I should relate how things are here," he continues, "and how the Publique Peace is tumbled and tossed, as if it were nothing to breath the veines of one another to a deadly gasping: . . . surely or sicknesses are very greate, and or disisease almost incurable, there is noe parte sounde."³

¹ For the attitude of the sectaries see an appeal to Fleetwood, unfortunately without date, in Thurloe, *State Papers*, VI. 244 ff.; also *A Second Narrative of the Late Parliament (so called)*, *Harleian Miscellany* (edition of 1745), III. 454.

² Some thought "that it would bee fitt my Lord Depyte should bee enabled to produce the same Congratulations for yor Highnes refusall from the Army in Ireland as had been made by some in Engld." H. Cromwell to O. Cromwell, June 5, 1657, B.M. Add. MS. 4157, folios 182, 183.

³ R. Cromwell to H. Cromwell, June 10, 1657, Lansdowne MS. 821, folio 125.

Under these circumstances it was all-important that the new settlement should be as little defective and objectionable as possible. Otherwise no considerable party would rally to its support. Examination of the Humble Petition and Advice, however, shows that it was defective in several particulars, and contained clauses which were certain to provoke bitter opposition from the sectaries.

The most significant of these clauses were those concerning religion. The makers of the new constitution were evidently determined to erect a state church in England, and were indeed as much bent upon establishing a church as upon establishing a king. The whole instrument is redolent with this design.¹ The gist of the plan, however, is contained in the tenth, eleventh, and twelfth articles. The tenth article voiced the desire of the House that the revilers of godly ministers or their assemblies, and the disturbers of public worship be punished according to law, and that where the laws were defective the Protector should assent to such laws "as shall be made in that behalf." Article 12 ratified all the acts passed by the Long Parliament abolishing the episcopal system, and so made impossible any return to that establishment. To these articles little objection could be made by any of the Puritan factions. The eleventh article, however, was of a far different character. It declared first that the Protestant religion alone should "be held forth and asserted for the public profession of these nations." Then followed what was the kernel of the whole religious plan of the Petition, that a "Confession of Faith" should be agreed upon by Cromwell and the Parliament. This confession was to "be asserted, held forth, and recommended to the people of these nations," and no one was to be suffered in speech or writing "maliciously or contemptuously" to assail it. The article then made a general provision for religious toleration, excluding from this "liberty," however, all Roman Catholics, Episcopalians, and Unitarians, all who denied the inspiration of the Holy Scriptures, and all such as "publish horrible blasphemies, or practice or hold forth licentiousness or profaneness under the profession of Christ." Provided a minister did not fall in any of these categories, he might differ "in matters of worship and discipline," but he must assent to the Confession of Faith if he was to "be capable of receiving the public maintenance appointed for the ministry." This article, therefore, not only denied toleration to a considerable number of persons who had hitherto possessed it, such as Quakers, Ranters, and Fifth Monarchists,

¹ See for instance Article 4 with its qualifications for members of Parliament, and its revival of the act of August 9, 1650, "against several atheistical, blasphemous, and execrable opinions derogatory to the honour of God, and destructive to human society."

but it pronounced those who did not assent to the public confession incapable of receiving public maintenance. The tithes and the ecclesiastical property of the state were to be devoted to a body of men holding a certain set of religious tenets. It is impossible to state definitely what these tenets were to be, but there can be little doubt that if Parliament had had its way, the new establishment would have been a modified form of Presbyterianism. Oliver would presumably oppose a Presbyterian system, yet it is conceivable that in time he would have consented to this; and certainly to accept Presbyterianism could not have been more difficult than to accept kingship. Indeed it is plain that now the two stood together, for the intense opposition of the sectaries in itself made any other combination impossible. Cromwell warmly approved of the Petition's provisions regarding religion,¹ and could not have been blind to their drift. Even supposing that a Presbyterian system could not be established while Oliver lived, this would certainly have come after his death, for his sons had little sympathy with the sectaries. Henry Cromwell, in outlining to Thurloe those provisions in the Humble Petition and Advice that seemed to him most important, laid stress upon the religious plan, approving warmly the "holdeing forth a publique confession of faith (the expectation of these nations) injoyning the acknowledgment of the sacraments, prayer, magistracy, and ministry, to be ordinances of God, and all this with due respect to tender consciences."²

Parliament's purposes in regard to religion are clearly evidenced by several other events. Speaker Widdrington, in presenting the Humble Petition and Advice to the Protector, expressed clearly and frankly the object in view:

There are two extremities in state, concerning the causes of faith and religion, (that is to say) the permission of the exercise of more religions than one, which is a dangerous indulgence and toleration, and is not introduced by this government. . . . The other is the entering and sifting into men's consciences, when no overt scandal is given, . . . and which is desired to be provided against in this Frame.³

This view must have been sufficiently alarming to the extreme sectaries, yet that it correctly defined the position of Parliament is plain from the subsequent action of the House. Thus an act "for the better observation of the Lord's Day" compelled attendance at church under penalty of the forfeiture of two shillings six pence for non-attendance.⁴ This act was precisely similar to the acts under

¹ April 21, 1657, Stainer, *Speeches of Oliver Cromwell*, 331.

² H. Cromwell to Thurloe, April 8, 1657, Thurloe, VI. 183.

³ Burton, *Diary*, I. 408, 409.

⁴ June 26, 1657, *Calendar of State Papers, Dom.*, 1657-1658, p. 11.

Elizabeth and the Stuarts which had been objected to so bitterly by the Puritans. More significant still was the passage of a bill for catechizing.¹ It is impossible to say what this bill contained, but it was opposed by the more liberal and tolerant members of Parliament.² That it was an essentially anti-Independent bill can be inferred with certainty not only from this opposition, but also from Cromwell's position towards it and from the feeling his course aroused. It was the only bill that he vetoed, and this act bitterly incensed its supporters.³

The feeling of the sectaries in regard to the new religious settlement was clearly expressed in the *Narrative of the Late Parliament*, wherein the author caustically criticizes the settlement, and as a proof of the designs of the Parliament points to the bill for catechizing.⁴ It is not surprising that these various alarming events convinced the sectaries that a movement was being made to suppress them, and that Oliver was party to it. Many of them had been convinced of this as early as August, 1655, a conviction expressed in a well-known pamphlet directed against the Protector.⁵ Libelous as this pamphlet was, in so far as Cromwell's intentions were concerned, it was nevertheless a truthful statement of the direction that events were bound to take. The realization of their fears by the passage of the Humble Petition and Advice—this attempt to establish a national church and to shut out from the benefits of public maintenance all ministers who did not conform to its Confession of Faith—explains and justifies the opposition of the sectaries not only to the project of kingship but to the whole constitution.⁶

That the Humble Petition and Advice was left imperfect in many particulars might be inferred from the speed with which it was made and from the necessity of compromising the differences be-

¹ *Commons' Journals*, VII. 537, 551.

² Burton, II. 202, 203.

³ *Ibid.*, 205, 206; *Commons' Journals*, III. 551-553.

⁴ *Harleian Miscellany* (edition of 1745), III. 445.

⁵ *A Short Discovery of his Highness the Lord Protector's Intentions Touching the Anabaptists in the Army, and all such as are against his reforming things in the Church*, August 20, 1655, Thomason Tracts, E. 852. The writer charges Cromwell with the intention of setting up a state church and overthrowing the Anabaptists.

⁶ The attempt to establish a national church did not cease with the overthrow of the monarchists in 1657. In the second session of the Parliament, on January 21, 1657/8, Mr. Gewen moved for "a convocation or assembly of divines." The motion was discussed but came to nothing. Burton, II. 333-336. In Cromwell's speech of January 25 he speaks against the sects. Stainer, 377-379. See also *ibid.*, 387. On January 27, preaching before Parliament, the Reverend Mr. Griffith in his sermon spoke "for church government, but against imposing spirits; and it tasted a little of Court holy water." Burton, II. 373.

tween parties with regard to it.¹ The imperfection of the constitution was made irretrievable by the alteration of the title from king to protector. Incomplete and imperfect as the Petition might be, the acceptance of the office and title of king would have carried with it so many consequences, would have reestablished so many old legal institutions, that all defects would probably have been surmounted. But the lawyers were certainly correct in arguing that the laws could not be administered without the kingly office. They were correct because the mere conviction on their part was sufficient to make it impossible to administer the laws without the office. Furthermore, the protectoral office, since it had been conferred without a specific definition of its powers, left matters still unsettled. Moreover, since the proposal to grant to the protector precisely the same prerogatives as those inhering in the royal title had been rejected, only one conclusion could be drawn, namely, that the powers of the protector were not those of the king. What they were no man could tell. The consequences would be confusion in the interpretation of the law, contradictory decisions by the courts, and endless and hopeless endeavors to fit the new executive to the old institutions.

The failure to establish the kingship was of vast consequence in respect to the succession. The Petition permitted Cromwell to nominate his own successor, but made no provision for his successor's successor. Had he been king, the law would have determined all doubts. As things actually stood, the succession was left in almost as indefinite a condition as before the adoption of the new constitution.

More important still was the position assigned to the "other house" in the new scheme.² The judicial functions of the new house were defined in precise general terms, but its legislative functions were not. As matters stood, this was a prime defect. When Parliament framed the Petition, it had expected to have a king, in which case the legislative status of the new house would have been *ipso facto* determined. As a House of Lords its legislative functions would have been precisely those of the old House of Peers. Under

¹ For the speed with which the Humble Petition and Advice was made see Packer, February 9, 1658/9, Burton, III. 161; Baynes, February 11, 1658/9, *ibid.*, 216. Article 15, with the title of king in it, was omitted from the printed text, no effort being made to supply the omission, so that in all printed copies the bewildered reader passes directly from the fourteenth to the sixteenth article. Lenthall on June 23, 1657, asserted that the Petition and Advice was "very imperfect yet" and that he regarded it as being merely an "embryo." *Ibid.*, II. 280.

² In the original Humble Petition and Advice the nominations of members of the "other house" were to be approved by the House of Commons. The Humble Additional Explanatory Petition and Advice, however, left the nominations wholly in the hands of the protector.

a protectorate this was certainly not self-evident. That the "other house" was in fact "inconsistent with this title" of protector was so clear that during the debates after Cromwell's refusal of kingship it was taken for granted, the proposal being made to give up the house as a matter of course if the title protector was adopted.¹ That this motion was not carried shows pretty clearly that kingship was not abandoned. That the advocates of monarchical government insisted on retaining the "other house" without further definition of its status, its authority, and its powers is equally good evidence of the purpose to hold to their course. If they had been willing permanently to surrender their wishes, the position of the new house could have been settled in the sense agreeable to the opposing party without much difficulty. Unless, however, the project for kingship was completely surrendered, it was impossible to define further the functions and powers of the "other house"; for if this had been attempted, the partizans of a commonwealth would have "ravelled into" the entire frame of government to some purpose, in all probability with consequences disastrous to the plan.² The "other house," just as it existed, was an inevitable result of Cromwell's declining the kingship; and in forcing this upon him the army leaders won a great victory. "How have they," wrote an angry Oliverian, "forced him (as *Aaron*) to make a Calfe like the Ægyptian Ox, an other House instead of a House of Peers?"³ The victory consisted in erecting an institution which was not viable as it existed, which must be altered, which must lead either to a kingly settlement or to the undoing of what had already been accomplished towards such a settlement. It was not by chance, therefore, that the attack of the opposition in the second session was directed against the "other house." The vulnerable part of the new settlement lay there, and there also lay the most serious menace to the advocates of military rule, of sectarianism, of the Commonwealth.

How differently the various parties regarded the status of the new house is shown by all the available evidence. From the first the monarchists hesitated to admit that they were attempting to create a House of Lords. On the contrary they assured opponents

¹ Whether "such things" in the Petition, "as may be therein conceived inconsistent with this title, may not be expunged, as House of Lords and such like." News letter, May 15, 1657, *Clarke Papers*, III. 108.

² See on this difficulty Goodwin's motion, June 24, 1657, *Burton*, II. 300; Shapcott, *ibid.*, 298; Sydenham, *ibid.*, 299; Desborough, *ibid.*

³ *A Petitionary Epistle directed to the Lord Protector and People of the Commonwealth of England, Scotland, and Ireland, to continue in Unity*. March 19, 1657/8, Thomson Tracts, E. 743. 7, p. 4.

of the measure that all they wished was a balance or check upon the House of Commons in order to preserve liberty of conscience. There was to be no restoration of the old Lords.¹ It was even argued that the new house would be a bar to the restoration of the old one.² The supporters of another house asserted too that it was necessary to have a second house with "judicial power," since it was doubtful if the House of Commons possessed such power, and since, even if it did, too much time would be consumed in considering "complaints from Courts of Justice and Equity."³ The "great reason" alleged, however, was "that Bills passed too hastily" in a single house, and without sufficient discussion.⁴

It is evident that the royalists did not dare openly to champion a House of Lords. Even as it was, they found much difficulty in securing the assent of their opponents to the establishment of a new house.⁵ At last, however, the latter yielded to the arguments adduced, coupled with the assurance that there was no intention of restoring the old peers. They were willing to have a second house, provided only it was not a House of Lords. Neville, one of the Commonwealth leaders, argued indeed in favor of a second house with this limitation;⁶ and the army, after the dissolution of the Rump, while declaring against a restoration of the peers, favored the erection of a senate to keep the Commons within bounds.⁷

The argument against a House of Lords was perfectly intelligible and extremely simple: if a House of Lords was established, the old nobility would inevitably be admitted; and if the old nobility were admitted, the restoration of the Stuarts was certain.⁸

The Petition failed also to define the manner in which nominations were to be made to the new house after Oliver's death. The grant of power to nominate members was to Oliver alone, without mention of his heirs and successors. It could be argued therefore that future protectors had no authority to nominate members. Had

¹ "Never was any thing brought in with more sugar-sweet and plausible words. It shall be a check upon restraint of liberty of conscience. There shall be no bringing in of the old nobility." Packer, Burton, III. 165. See also Sydenham, *ibid.*, II. 299; Cromwell's speech to the officers, February 28, 1656/7, Stainer, 263, 264.

² Burton, II. 413.

³ Colonel Matthews, February 4, 1657/8, *ibid.*, 451.

⁴ *Idem.*, *ibid.*

⁵ "The other house, or ballance goes heavily on." Sir John Reynolds to H. Cromwell, February 24, 1656/7, Lansdowne MS. 823, folio 90. "That, we feare, will most stick with us, is the ballance, or house of Lords as some call it; of wch we hope to see an yssue within 4 dayes." J. Bridges to H. Cromwell, March 3, 1656/7, Lansdowne MS. 821, folio 93. The "other house," Thurloe feared, would "prove a very hard and doubtfull question." Thurloe to H. Cromwell, March 8, 1656/7, Thurloe, VI. 93.

⁶ February 8, 1658/9, Burton, III. 134.

⁷ Firth, *Cromwell's Army*, 382.

⁸ Sydenham, June 24, 1657, Burton, II. 298.

the monarchy been reëstablished, this grant to Oliver alone could have created no legal difficulty, for a king is a corporation sole, and therefore his powers and prerogatives vest without interruption in his successor. In other words, the king never dies.

Another shortcoming of the Humble Petition and Advice was the failure to provide for the distribution of members of the lower house. The plan of reformed constituencies embodied in the Instrument of Government perished with the Instrument. It was probably unsatisfactory to the members, or they would have adopted it in the new constitution as it stood. The question of a new reformed distribution was discussed on May 27, 1657, but the House got no further than to pass a resolution that the subject should be finally debated in one week from that date.¹ But the predetermined day was later set apart as a day of thanksgiving for Blake's victory at Vera Cruz, and the discussion concerning distribution was never resumed. As a consequence the old unreformed constituencies revived.² Not only so, but the failure to determine the distribution of seats left the new constitution without a specific provision for electing members to Parliament from Scotland and Ireland.³

The question arises too whether Cromwell was really possessed of a veto under the new protectorate. He certainly believed that he was, for on one occasion he exercised a veto. Yet one may well doubt that the Petition and Advice granted this prerogative; and in Richard's Parliament the privilege was hotly questioned. If Cromwell had become king, the veto would have been his as part of the royal prerogative, but a protector as protector had no such prerogative, and the Humble Petition and Advice did not specifically confer it upon him.

In short, although the new constitution was an advance along the line which government in England was bound to take, though it restored the rights of the people and the privileges of Parliament, though it increased the powers of the houses and diminished those of the executive, it was astonishingly imperfect and could not possibly be a final settlement.

Under the circumstances it was of the utmost importance that the new government should be intrusted to those who desired its success. The principal opponents of kingship, with the exception

¹ *Ibid.*, 138, 139.

² That Cromwell believed the old system to be reëstablished may be inferred from the fact that in granting a charter to Swansea, May 3, 1658, he constituted it a parliamentary borough. *Dictionary of National Biography*, XXX. 152, article "Philip Jones."

³ Clarges to H. Cromwell, June 22, 1658, Thurloe, VII. 193. See also in Burton the discussion over this point in Richard Cromwell's Parliament.

of Fleetwood, Desborough, and a few others, could certainly not be counted among this number. Changes in the form of government, as Henry Cromwell sagaciously pointed out, were of no avail so long as the same men remained in power. He therefore strongly advocated the purging of the council and the army. In other words, he wished the government to be intrusted to those whom he called "the honest party."¹

The Protector, however, had evidently resolved upon a compromise government, and was not inclined to purge either council or army. The only new councilors created were Thurloe, who received the dignity on July 13, 1657,² and the Protector's eldest son, Richard, who was made councilor at the request of the council in December of the same year.³ But the opposition of one man had been so venomous, and in the opinion of all so clearly factious and self-seeking, that he could not overlook it. The offender was John Lambert, and over him came the first struggle of parties in the new government. Lambert was throughout supported by Sydenham, another influential member of the council; and neither of the malcontents came near Whitehall for weeks after the final decision.⁴ Some believed that Lambert would either surrender his commission or have it taken from him. Thurloe was confident that he would not surrender it, and believed there would be serious danger in permitting him to retain his power. Others, however, presumably Fleetwood and Desborough, were of a different opinion.⁵ Henry Cromwell agreed with Thurloe. "I take notice of your opinion concerning [Lambert]," he wrote. "I hope H. H. is sufficiently cautioned concerning him, and I wish those, who think his continuance in power safe, doe not first feele the smarte of it."⁶ Lambert himself apparently began to suspect that he had overstepped the limits of his power. "My Lord Lambert lookes but sadly," wrote Russell. "He puts me in mind of a saying of old Solomons, that there is an appointed time for all things under the sun, to hate as well as to love, to be sad as well as merry."⁷ On July 13 the council was to be sworn, and Cromwell had already laid commands upon Lambert, probably to absent himself. "I doubt not," wrote Fleetwood on the fourteenth, "yu will heare his

¹ H. Cromwell to Broghill, February 17, 1657/8, Thurloe, VI. 811. See also H. Cromwell to Thurloe, and to Fauconberg, same date, *ibid.*, 810. He wished to see St. John and Pierrepont admitted to the council. Same to Thurloe, July 15, 1657, *ibid.*, 404.

² *Cal. State Papers, Dom.*, 1657-1658, p. 26.

³ *Ibid.*, 206, 208; 239.

⁴ Thurloe to H. Cromwell, July 17, 1657, Thurloe, VI. 411, 412.

⁵ *Ibid.*

⁶ H. Cromwell to Thurloe, July 15, 1657, *ibid.*, VI. 404.

⁷ Sir F. Russell to H. Cromwell, July 4, 1657, Lansdowne MS. 823, folio 145.

Highnes commands to my Lord Lambert. Such passages of providence are to be teachings to us.”¹ Lambert, it was said, refused to take the oath imposed upon members of the council, and was removed as a consequence.² His commission was surrendered on July 23. Whether he refused to take the oath or not is uncertain; but if he did, he appears later to have expressed a willingness to comply. “I suppose,” wrote Thurloe, “I writ your lordship, that . . . [Lambert] desired to serve in the councelle, and offered to take his oath; that is paused upon. He is now retired in appearance. Most of the officers of the army, and those most suspected, shew rather satisfaction then otherwise.”³ Lambert’s offer was not accepted.

The dismissal caused an immense sensation and convinced men that Oliver meant to be master and probably monarch. “All men expected,” wrote Baillie, “that when so easily Lambert was quashed, the next session of Parliament would have quickly made Cromwell king.”⁴ The act, however, remained an isolated one, Cromwell making no attempt to root out Lambert’s adherents.

His monarchist followers, however, could not adopt a similar philosophical attitude, and it cannot be doubted that they still worked silently towards the wished-for goal. “The little secretary” might in the bitter moment of defeat avow his enduring faith in the considerableness of “simplicity,” but he could not help pursuing the game; and he urged members to come up to the next session and complete the work. John Ashe wrote that he would strive to be present at the opening of the session, “that I may give my best assistance for the perfecting the happy settlement wch is soe much expected and desired by all those that love his Highnesse and the peace and safety of these nations.”⁵ Lord Broghill, most pertinacious of kingmakers, saw no reason to despair. He remonstrated earnestly with Montague, who had announced an intention of retir-

¹ Fleetwood to H. Cromwell, July 14, 1657, Lansdowne MS. 821, folio 323.

² Stoope to Marigny, August 10, 1657, Thurloe, VI. 427; J. R. to Colonel Whit-
ley, ^{July 24}_{August 3}, 1657, *Cal. St. Papers, Dom.*, 1657-1658, p. 41; — to John Franklin,
^{July 23}_{August 3}, 1657, *ibid.*, 40; *Third Report of the Hist. MSS. Commission*, 247. See an
interesting account by Bernardi of Lambert’s dismissal, ^{July 30}_{August 9}, 1657, in Prayer,
“Oliviero Cromwell dalla Battaglia di Worcester alla sua Morte,” in *Atti della Società
Ligure di Storia Patria*, XVI. (Genoa, 1882) 438.

³ Thurloe to H. Cromwell, July 28, 1657, Thurloe, VI. 425. Lambert’s name is
not mentioned by Thurloe, but there can be no doubt that it is he to whom reference is
made. The only other who could by any possibility be intended, was Sydenham.
Sydenham, however, took the councilor’s oath on July 21. *Cal. St. Papers, Dom.*,
1657-1658, p. 32.

⁴ Baillie to Spang, [June, 1658], Robert Baillie, *Letters and Journals*, III. 359.

⁵ John Ashe to Thurloe, December 28, 1657, Rawlinson MS. A. 56, folio 337.

ing. From this intention "I conclude," he wrote, "the game our mastere is to manage is either very desperate, that you give it over, or very certain, since you think it needs not your help." He ended by urging Montague to continue in public life for the good of the cause.¹ That he was intent upon attempting once more to make Oliver king may be inferred with certainty from a letter of Henry Cromwell's to him, written in February, 1658.²

The success or failure of such plans to establish monarchy would depend very largely upon the composition of the new house. If its members were monarchists, if they were men having the confidence of the nation, if they were to a considerable extent members of the old peerage, then the object aimed at by Broghill and his adherents might be attained. If, on the contrary, the new house was constituted for the most part of army men and antimonarchists, then the difficulty of creating a king would be immensely enhanced. But the importance of the new house did not cease here. Upon its success, one may confidently assert, depended the success or failure of the new government.

The vital importance of this question escaped no one, and the subject was discussed in all its phases. Despite the fact that the Humble Petition and Advice created the new dignities only for life, there were not wanting those who held that the new lordships would be hereditary. The writs to be issued would certainly create the recipients lords, asserted the supporters of monarchy. Philip Jones, writing to Montague, informed him that his "writt of the 20th of January" made him "a Baron as the learned lawyers say, . . . but sure our Petetion and Advice makes it but for life."³ On the other side, it was said by those not so near to the springs of information that the judges had declared that no legal writ creating barons could be issued until Cromwell became king.⁴ This was probably the opinion of the majority of the lawyers. Prynne, who

¹ Broghill to Montague, November 20, 1657, Thurloe, VI. 622.

² "As for the reviving, etc., I am really at my wit's ends. You cannot but imagine, that too near concernment, and my imperfect knowledge of affairs, make me incapable of advising any thing hereupon. But I rely upon your lordship's wisdom and integrity herein, and shall earnestly beseech the Lord to encrease it upon this most difficult attempt of your lordship." H. Cromwell to Broghill, [February, 1657/8], *ibid.*, 790.

³ Philip Jones to Montague, December 22, 1657, Carte MS. 73, folio 125.

⁴ "The Judges being lately required by his Highnesse to make the forme of writt whereby the intended members of the other House might be called to sit in parliament, their answer was that until his Highness did accept of the title of King noe legall writs could be made, nor house of Peeres constituted." News-letter, November 17, 1657, *Clarke Papers*, III. 127.

"They may not take their new honors till Cromwell has assumed the title of King, . . ." T. Mompesson to [Secretary Nicholas], January 4, 1657/8, *Cal. State Papers, Dom.*, 1657-1658, p. 255.

could not long remain silent, busied himself with a new edition of his treatise *A Plea for the Lords and House of Peers*, wherein he argued that all the old nobility had an undoubted right to sit in Parliament, and that all the judicial powers of Parliament were vested in the king and the House of Lords.¹

In this state of affairs it was of prime importance that the men who were to compose the new house should be selected with the utmost skill and wisdom. The task of selection, however, was no small one, the difficulty proving "great between those, who are fitt and not willinge to serve, and those who are willinge, and expect it, and are not fitt."² "I doubt," wrote Montague with gloomy forebodings, "divers whom I could (and I beleieve yr Lo^{ps} also) wish were of it will not middle, and noe doubt divers others will readily supply theire places. I heartily wish it otherwise."³ Undoubtedly Montague's chief doubts were in relation to the old nobility, and here he was justified. It is conceivable that the peers summoned would have been willing to sit had the summons come from a king. It can hardly be doubted, too, that many more of them would have been summoned if Oliver had been king instead of protector. As it was, the old peers, even those friendly to Cromwell, would not answer his summons.⁴ Even the Scotch lords would not sit. Only Warriston and Lockhart represented Scotland; "Cassilis disdained it."⁵ As might be expected, those men who had most strongly supported the new kingship were also unwilling to take part. For instance, Pierrepoint and St. John were nominated, but did not sit.

Under these circumstances Oliver did the best he could. He was of course bound to compromise, and consequently selected men of all parties. Had he been bent upon becoming king, this would hardly have happened. The choice of Hazelrigg seems almost ludicrous; the selection of Pride and a score of the keenest opponents of the kingship must have seemed folly to men like Thurloe. Oliver, it is true, consulted representatives of all parties:

¹ Prynne's treatise, *A Plea for the Lords and House of Peers* (London, May, 1658), first published in 1647, now in a "much augmented" form (518 pages) on account of the "late loud unexpected Votes at Westminster of, a New King and House of Lords, under the Name, Notion of Another House." Thomason Tracts, E. 751.

² Thurloe to H. Cromwell, December 1, 1657, Thurloe, VI. 648.

³ Montague to H. Cromwell, December 5, 1657, Lansdowne MS. 822, folio 295.

⁴ Not even the Earl of Warwick, with whom he was connected by marriage. For this attitude of the old peers see the letter of Lord Say and Sele to Lord Wharton, December 29, 1657, *English Historical Review*, X. 106, 107. Only one member of the old peerage sat.

⁵ Baillie to Spang, [June, 1658], Baillie, III. 359.

Montague,¹ his council,² Pierrepont,³ and probably all of his close friends of both factions. Naturally, after puzzling over the matter for weeks he ended by dissatisfying everybody. On December 8 Thurloe wrote in evident disgust, "I begin to guesse who they are like to be; and I am content your excellencye should receive them by any other hand."⁴ In January Henry Cromwell wrote sadly to Broghill, "If you had been there time enough, your lordship might have been carpenter of a better house."⁵ When finally the selection was made, Thurloe was so exasperated that he apparently neglected of set purpose to send the list to Henry Cromwell.⁶ His indignation was undoubtedly occasioned by the conviction that the new house would prove itself an insurmountable obstacle to the erection of a monarchy.

Most people felt that if the old lords honored the new house by their presence, it would be enormously strengthened and might succeed. Their attitude, therefore, was scrutinized closely by all parties. "Some say the lords Warwick, Manchester, Wharton and others are not inclined to sitt," wrote Needham on January 7.⁷ "Some of our other howse, it seemes," wrote Fleetwood, "have not a minde to sitt with us, upon the account of the hereditary peerage";⁸ and Thomas Fox on January 23 notes that "Not any of the old Lords come in yet."⁹ The lords did not come, and the failure gave a weapon to the opposition of which they availed themselves. They would not recognize the new house as a House of Peers, and laid particular emphasis upon the fact that the old nobility did not appear there.¹⁰

The new government was therefore foredoomed to failure, and this failure was made absolutely certain and irretrievable by the composition of the House of Commons. The Cromwellians there, weakened by the transfer of many of their ablest men to the other house, and still further by the admission of the formerly

¹ "My opportunities wth his Highnesse are not manye nor is my judgement fitt to advise him but I have not spared to speake as occation hath beene offered unto mee." Montague to H. Cromwell, December 5, 1657, Lansdowne MS. 822, folio 295.

² *Clarke Papers*, III. 127; Thurloe, VI. 630; Fleetwood to H. Cromwell, November 24, [1657], *ibid.*, 631.

³ H. Cromwell to Thurloe, November 25, 1657, *ibid.*, 633.

⁴ Thurloe to H. Cromwell, December 8, 1657, *ibid.*, 665.

⁵ H. Cromwell to Broghill, January 13, 1657/8, *ibid.*, 745.

⁶ H. Cromwell to Broghill, *ibid.*

⁷ Needham to Swift, January 7, 1657/8, *ibid.*, 734.

⁸ Fleetwood to H. Cromwell, January 16, 1657/8, *ibid.*, 752.

⁹ Thomas Fox, January 23, 1657/8, Stowe MS. 185, folio 123.

¹⁰ "Scrupling to owne all of them as Lords, especially seing the Earles of Warwick, Mulgrave and Manchester the Lo: Wharton and Lo: Say did not appeare there." Letter to Lord Wharton, January 27, 1657/8, Carte MS. 103, folio 86.

excluded members, had no strength to resist the attacks of their opponents.

Cromwell foresaw none of the difficulties, and opened the second session of his Parliament in good spirits, being perhaps the one man who had complete confidence in the new frame of government. "We hope we may say," he exclaimed, "we have arrived at what is much beyond our expectations." The Petition and Advice had restored to the nation both its civil and its religious liberties, and for that he was sure they had "all cause to bless God."¹ By implication he avowed the new house to be a house of peers, addressing the assembled houses as "my Lords, and Gentlemen of the House of Commons," and speaking of the protest of the bishops against laws "made by this House and the House of Commons."² He urged them in conclusion to be "the repairers of breaches, and the restorers of paths to dwell in."³

The opposition in the House of Commons, however, was not anxious to repair breaches. On the contrary, it assaulted the Humble Petition and Advice by refusing to acknowledge the other house as a House of Lords. Day after day the question of the powers of the "other house" was debated, and "confusion worse confounded" held sway. On January 25 Cromwell appealed to the houses to go forward in the important work which lay before them, solemnly asserting, "I conceive the well-being, yea the being of these nations is now at stake." He then pointed out the political situation and its dangers at home and abroad, attempting especially to arouse feeling for the condition of Protestants on the continent. Concluding this head, he spoke strongly and with a direct appeal concerning the religious and political divisions at home, urging the houses "to uphold this settlement, which I have no cause to think but you are agreed to and that you like it." Over and over again in the most solemn language he adjured them to preserve peace and amity.

We have peace and the Gospel. Let us have one heart and soul, one mind to maintain the honest and just rights of this nation, . . . I beseech you and charge you in the name and presence of God, and as before him, be sensible of these things and lay them to heart. . . . If God shall [not] unite your hearts and bless you, and give you the blessing of union and love one to another, and tread down everything that riseth up in your hearts or tendeth to deceive your own souls with pretences of this and that thing that we speak of, and [if you do] not prefer the keeping of peace, that we may see the fruits of righteousness in them that love peace and embrace peace, it will be said of this poor nation, *Actum est de Anglia*.⁴

¹Speech of January 20, 1657/8, Stainer, 357-359.

²*Ibid.*, 362.

³*Ibid.*, 365.

⁴Speech of January 25, 1657/8, Stainer, 365-387.

It was in vain, however. The republicans were resolved to set all in confusion, and they were at this very moment immensely strengthened by the accession of Lambert and Hazelrigg. These two appeared in the House for the first time on January 25,¹ and Hazelrigg immediately took the leadership of the republican party. On the other hand, Oliver seemed determined to have the "other house" recognized as a House of Lords. Neither side would yield in the slightest degree. Oliver's insistence apparently precipitated the crisis. On January 28, in answer to a committee of the House of Commons, which requested directions concerning the printing of his speech of the twenty-fifth, he refused bluntly to give such directions, on the ground that such action might be a breach of the privileges of the other house. He gave the committee distinctly to understand that the other house must be recognized as a House of Lords if he and Parliament were to agree.² After this, compromise was impossible.

Despite the hopelessness of the situation, the effort to make Cromwell king was resumed. On January 28 Major Beake and Colonel Shapcott moved to debate the title of Protector, and the status of the "other house."³ On February 2 Sir John Trevor moved a return to the old constitution with kings, lords,⁴ and commons. On the following day Mr. Gewen moved that kingship should be reestablished,⁵ and was supported by Colonel Cox.⁶ There was no heart, however, in this renewal of the old attempt. The leaders of the monarchists remained silent, and indeed it was perfectly plain that for the present nothing of the sort could succeed.

In short, the situation was absolutely desperate. "I am amazed at proceedings," wrote Henry Cromwell, "and have a kind of dread in considering them."⁷ On the same day he appealed to Fleetwood "to incline to what is rational and consistent . . . to seek the peace of these distressed and distempered nations."⁸ There was certainly cause for amazement and dread, for the antimonarchists had struck upon a bold — one may say a seditious — plan to

¹ Fauconberg to Lockhart, ^{January 25} ~~February 4~~, 1657/8, Thurloe, VI. 757. Hazelrigg's action was all the more significant because he had been nominated to the upper house.

² Speech of January 28, 1657/8, Stainer, 387, 388. "I say the House of Lords," Burton, II. 380. "His Highness has resolved to have it by that title." Bodurda, February 4, 1657/8, *ibid.*, 442.

³ *Ibid.*, 377 ff.

⁴ *Ibid.*, 412.

⁵ *Ibid.*, 424.

⁶ *Ibid.*, 437.

⁷ H. Cromwell to Broghill, February 3, 1657/8, Thurloe, VI. 775.

⁸ He adds, "I need not tell you the effects of a breach, of a new unsettlement at this time, when our wants are so very great." H. Cromwell to Fleetwood, February 3, 1657/8, *ibid.*, 774.

restore the Commonwealth by a union between the disaffected part of the army, the sectaries, and the opposition in Parliament.¹ The movement culminated in the drawing of a petition to Parliament, praying for the restoration of the Commonwealth. The principal points aimed at were (1) to secure to the people "the constant succession of Free Parliaments duely chosen," and (2) to secure the "unquestioned Supreme Power to the said Parliaments."² This petition was openly circulated, some fifty copies being printed for the purpose, and it was signed by many thousands of people in and about London.³ The leading actor in its promulgation was apparently John Weaver, a noted Commonwealth's-man, who with several of his party "made it their buisnesse to perswade to a commonwealth, and were confident, that they should carry it; and the petition . . . was to be the first occasion for the debate of it in the house; and a cheife man of them useinge arguments to another very considerable person to engage with them for the old parliament, and beinge answered, that it was impossible, because the army was against it, he replied, that he would take it upon him, that the army would declare for it, and that he knew they had beene tryed in

¹ "About which time also, a Petition was preparing, by some faithfull Friends to the good old Cause, in, and about the City of London, which was afterward printed, and signed with many thousand Hands; which Petition makes Mention of the severall Particulars that were the Grounds of Contest between the late King, and Parliament, and the good people of the Nation. And prayeth, 'The Settling those good Things fought for, as the Reward and Fruit of the Blood and Treasure so greatly expended in the late Wars, etc.' This Petition was ready to be presented to the Parliament, in a peaceable Way, by the Hands of about Twenty in the name of the rest, desiring to submit the Issue thereof to God, and the Wisdom of that Assembly." *A Second Narrative of the late Parliament (so called) in Harleian Miscellany* (edition of 1745), III. 450.

² The following is an abstract of the petition: Objects. (1) to secure to the people (a) "the constant succession of Free Parliaments duely chosen," and (b) "unquestioned supreme power to the said Parliaments"; (2) the militia to be settled, and people and Parliaments protected against improper use of said militia; (3) no money to be levied without consent of Parliament; (4) (a) that "the peoples persons and Estates may be onely subject to be disposed of according to the Laws of the Land," and (b) "speedy consideration had of the long Imprisonment of many persons well-affected . . . without any due prosecution"; (5) officers and soldiers not to "be turned out of their respective imployments without a legall Triall at a Court-Martial." *A True Copy of a Petition Signed by very many Peaceable and Well-affected People, Inhabiting in and about the City of London, and intended to have been delivered to the late Parliament*; Thomason Tracts, E, 743:5, March 11, 1657/8.

³ "The Petitioners did not carry on their businesse in a secret underhand way, but openly; . . . and the Petition being framed and agreed unto, . . . about 50 copies were printed and dispersed in order to Subscription, and in a few dayes (notwithstanding many frowns from Grandees, and a numerous Army then quartered in and about the City to the terrour of very many) it was signed by many thousands, and ready to have been presented by a few (under a score) in the name of the rest." *Ibid.* The similarity of the language here and in the *Second Narrative*, where this matter is treated, would lead to the supposition that either the writers were the same, or the author of the *Narrative* had this pamphlet before him when he wrote.

it.”¹ According to Bordeaux the petition was largely the result of the bitter opposition of the sectarian clergymen, who “excited” the Commonwealth’s-men to present the petition, and “spake high and openly against the government of his highness.”² That the movement was wide-spread may be safely asserted. The commander of the garrison at Hull wrote Cromwell that his opponents there “were very high before the desolution of Parliament, haveing undoubtedly a dangerous designe in agitation.”³

No movement so serious for Cromwell’s régime had hitherto been started. The Cavaliers, Fifth Monarchy Men, and the Commonwealth’s-men had opposed him persistently and bitterly, but without securing much support. The attempt to erect a kingship, however, had consolidated the Commonwealth party, had driven many men hitherto friendly to Oliver into its ranks, and for a moment had united all opponents excepting only the Cavaliers. The boldness of the petition for the overthrow of the government went far beyond anything hitherto conceived, yet undoubtedly the petition itself was the direct result of the officers’ petition of May, 1657. If the army could petition unrebuked for a certain form of government, why might not the supporters of a commonwealth do likewise?

The immediate result was the dissolution of Parliament.⁴ Cromwell, to the surprise of everyone, in a rage summoned the two houses, and arraigned the Commons in a speech which revealed the bitterness of his soul, and his conviction that the new settlement had fallen in ruins. “I looked,” he said, “that the same men that had made that frame would have made it good to me when I came to act your Petition and Advice.” Otherwise he would have preferred to live “under a woodside to have kept a flock of sheep, rather than to have undertaken such a place as this was.” But he had taken it only because he had expected settlement, and “the safety of the nations,” as was well known to “all that did advise and petition . . . and I am failed in these terms.” They had refused to

¹ Thurloe to H. Cromwell, July 13, 1658, Thurloe, VII. 269; Bordeaux to Mazarin, February $\frac{4}{11}$, 1657/8, *ibid.*, VI. 778; Bordeaux to Brienne, February $\frac{4}{11}$, 1657/8, *ibid.*, 779. Bordeaux here agrees with Thurloe in the general facts.

² Bordeaux to Mazarin, February $\frac{4}{11}$, 1657/8, Thurloe, VI. 778.

³ C. H. Smith to Oliver Cromwell, February 11, 1657/8, Rawl. MS. A. 57, folio 312.

⁴ Thurloe to H. Cromwell, July 13, 1658, Thurloe, VII. 269; *Second Narrative, Harleian Miscellany* (edition of 1745), III. 450; J. Berners to E. H., *Eng. Hist. Review*, VII. 106, 107; Bordeaux to Mazarin, February $\frac{4}{11}$, 1657/8, Thurloe, VI. 778; Ludlow (Firth’s edition), II. 33; Bernardi, ^{February 22}_{March 4}, 1657/8, Prayer, 469; Payne to Nieupoort, February $\frac{5}{15}$, 1657/8, Thurloe, VI. 781. For the surprise which Cromwell’s act gave, even to his council, see Fauconberg to H. Cromwell, February 9, 1657/8, *ibid.*, 788; H. Cromwell to Lord Broghill, February 17, 1657/8, *ibid.*, 811.

recognize the "other house"; they had refused to carry out the new government in accordance with their oaths. Had they settled that government, "not to make hereditary Lords nor to make hereditary King or Kings — ye had had a basis to stand upon," and "if there was an intention of settlement you would have settled upon this [basis] to have altered or allayed. . . . But this hath not ben done, it hath not. . . . Instead a new business hath been seeking in the room of this, this actual settlement, settlement by your consent . . . really, designing a Commonwealth, that some tribune of the people might be the man that might rule all. This hath been the business really. I am sorry to say it, but I think the meanest people that go about the streets take notice of it. This is the business; but is this all? They have engaged, or persuaded others to engage to carry that thing on; . . . We have known these things have been designed, we have known attempts have been made in the Army to seduce them, and almost the greatest confidence hath been in the Army to break us and divide us. . . ." There were endeavors, too, "from some not far from this place to stir up the people of this town into tumultings, what if I said rebellion. . . . Yea, and to draw the Army to the state of a question, a Commonwealth, a Commonwealth." These things being so, "I do declare to you here, that I do dissolve this Parliament. Let God judge between you and me."¹

So ended in complete failure the attempt to settle the government under the Humble Petition and Advice. That it was failure was everywhere recognized. The writer of the *Second Narrative* jubilantly asserted that had Parliament continued to sit, it might have "overvoted the Lovers of Freedom, and so have perfected their Instrument of Bondage, and rivetted it on the Necks of the good People for ever by a Law, and thereby made them Vassals and Slaves perpetually. But hitherto the Lord hath, in a great measure, frustrated their wicked Designs, blessed be his holy name."²

The part which the failure to define clearly the status and functions of the "other house" had played in this unexpected outcome was obvious to all. Josias Berners, writing to his cousin John Hobart, a steady and thorough supporter of the kingship, upbraided the monarchists for their neglect. It was a wonder, he asserted, that wise men should have spent so much time upon a title, a matter "merely extrinsicall," while neglecting to build the main structure, a house of lords, upon a sure foundation. "See," he ex-

¹ Stainer, 388-397. The "Amen episode," so well known, is vouched for in the Philips manuscript, printed in the *Old Parliamentary History*; in the Clarke manuscript, Stainer, 483; and by Baillie to Spang, [June, 1658]; Baillie, III. 360.

² *A Second Narrative, Harleian Miscellany* (edition of 1745), III. 452.

claimed, "howe many badd consequences doe; and hereafter must follow."¹ Friends of the project for kingship and a restored House of Lords hoped that "the vanity of Messages and Messengers during the last fortnight's sitting" would free them forever from half-hearted expedients which could never provide settlement.² Undoubtedly the criticism was to the point, but nevertheless the monarchists were not to be upbraided with neglect, for, as has already been pointed out, they had done the best that they could. Their blamelessness, however, could not save the situation. The "other house" could hardly hope to recover from its colossal failure, totally disowned as it had been by almost everyone concerned.³

There were many conjectures as to what Oliver would do next, but the prevailing opinion seems to have been that he would call a "great council," which should "manage the affairs of the nation."⁴ It is quite possible that this expedient was suggested. Before anything final could be done, however, the government had to be certain that its existence was for the present assured. Oliver's first step, therefore, was to appeal to the army and to the city for support. On February 6 he addressed the officers at Whitehall, urging those who could not "in conscience conform to the now government" to speak out, and expressing the hope that they would still be able to go along together as in the past. The officers declared themselves satisfied and promised their support.⁵ So, too, the city officials, when appealed to, renewed their pledges of fidelity and

¹ Josias Berners (?) to John Hobart, no date, no signature, Tanner MS. 51, folio 3.

² *A Petitionary Epistle directed to the Lord Protector and People of the Commonwealth of England, Scotland, and Ireland, to Continue in Unity*, March 19, 1657/8, Thomason Tracts, E. 743, 7, p. 4.

³ There was much pertinency in the description of the situation as sketched by an opponent of the "other house" in 1658:

"The *other House* constituted by it, when summoned, was totally disowned 1 — By the Commons themselves who created it by *this Petition and Advice*; yet would not acknowledge, but disclaimed it when erected; And if these *Creators* would not own this their *mungrell ill compacted new creature*, there is no probability, that any future Knights, Citizens, or Burgesses will approve or submit unto it: 2ly, By the *antient Peers*, and most *Gentlemen of Estate and Interest* summoned to this *other House*, who refused to sit, or own it at the first, upon such terms as will engage them to disown it for the future, and not to appear therein though summoned. 3ly, By the generality of the people, who disrelished, and made no adresses to it upon any occasion 4ly, This *House* and last Convention were thereupon suddenly dissolved by him that called and constituted them, as seeing no hopes nor possibilities of reconciling or uniting them; Therefore none else can possibly hope to preece or unite them in any New Convention summoned according to this *Petition and Advice*." *A Probable Expedient for present and future Publique Settlement*, November, 1658, Thomason Tracts, E. 766, 4, p. 2.

⁴ Bordeaux to Mazarin, February 14, 1657/8, Thurloe, VI. 778. Hartlib wrote to Pell to the same effect.

⁵ Stainer, 398. See also his notes on this speech.

aid.¹ Late in March the assurances of the officers of the English army took form in an address signed by 224 of them.² In this they assured Cromwell that "notwithstanding the base Calumnies and Lies . . . dispersed throughout the whole Nation" to the effect that the army was divided, and disaffected to the Protector, they remained "firmly united one to another, and all of us to your Highnesse, as our Generall and Chief Magistrate." They made it their "earnest and humble request" that he would continue the work of settlement until they had attained "the great ends of all our former engagements, our civill and spirituall liberty." These ends, they were confident, were "already in a good measure well provided for, by *The Humble Petition and advice*." They did "freely and heartily engage" to support the Protector with their lives in the "further prosecution of the great work" upon which he was engaged.³ It is plain from the contents of this petition and from the signatures attached to it that Cromwell had nothing to fear from his army; and this was Thurloe's conviction even before the address was presented.⁴ Equally reassuring were the addresses from the armies in Scotland and Ireland. The Irish army, in fact, went even further than the English in their pledges of allegiance to the Protector in his government.⁵

Nevertheless, the army was far from being satisfied throughout. Major Lowe, in Ireland, for instance, refused to sign the address of

¹ Thurloe to H. Cromwell, March 16, 1657/8, Thurloe, VII. 4; *Mercurius Politicus*, March 17-24, 1657/8. See Oliver's speeches to the Mayor, etc., in Stainer, 398-401. Addresses of the Commissioners for the city militia and the Colonels of the train bands, in *Mercurius Politicus*, April 17-24, 1658.

² H. W. to —, March 25, 1658, *Clarke Papers*, III. 144.

³ *A Further Narrative of the Passages of these times in the Common-wealth of England*, printed by M. S. for Thomas Jenner, 50, 51. The date of the petition is March 27, 1658.

⁴ Thurloe to Lockhart, March ¹¹/₁₁, 1657/8, Thurloe, VI. 863; to Downing, March ¹²/₁₂, 1657/8, *ibid.*, 871; to Lockhart, March ¹⁶/₂₈, 1657/8, *ibid.*, VII. 3; to H. Cromwell, March ¹⁶/₂₈, 1657/8, *ibid.*, 4.

⁵ See H. W.'s news-letter, March 25, 1658, *Clarke Papers*, III. 143-145; officers of Colonel Wilks's and Colonel Fairfax's regiments, Dalkeith, February 27, 1657/8, *Mercurius Politicus*, No. 406, pp. 373-374; officers of Colonel Talbot's and Lord General Monk's regiments, Dalkeith, March 3, 1657/8, *Public Intelligencer*, No. 115, p. 379; officers of Colonel Read's regiment, *Mercurius Politicus*, No. 407, p. 384; officers of Colonel Mitchell's regiment, Dundee, March 8, 1657/8, *Public Intelligencer*, No. 116, p. 396; officers of Colonel Robert Lilburne's regiment, *Mercurius Politicus*, No. 409, p. 415; "Officers of your Highness Army," presented by Lord Charles Fleetwood, March 27, 1658, *ibid.*, 419; officers of Colonel Ralph Cobbet's regiment, *Public Intelligencer*, No. 118, p. 415; Major-General Thomas Morgan and the commissioned officers of the forces in Flanders, April 4, 1658, *ibid.*, p. 428; garrison of Inverlochy, *Mercurius Politicus*, No. 410, p. 431; Major-General Morgan and regiment in Scotland, *ibid.*, No. 411, p. 455; Colonel Francis Hacker and regiment in Scotland, *ibid.*, p. 461; from the army in Ireland, *Public Intelligencer*, June 14-21, 1658, No. 130, p. 613.

the army there because a clause therein seemed to him clearly to urge kingly government.¹ The officers of Cromwell's own regiment, all Anabaptists, were most recalcitrant, and declared themselves not "free" to subscribe fully to the address of the English army. Cromwell reasoned with them, and finding them to assert steadfastly that they would adhere to "the good old cause," requested them to define that "cause," and to mention "one particular, wherein he had departed from it," at the same time telling them what he thought the cause was. Despite repeated requests for clearer declarations, however, the officers would not attempt any such definition. Only it was plain that the present government did not square with their conception of "the good old cause." The real difficulty, Colonel Packer afterwards declared, was their unwillingness to acknowledge the "other house"; "they could not say that was a House of Lords."² Failing to get satisfaction from them, Cromwell dismissed the six principal officers of the regiment;³ and having thus made a beginning, he continued to cashier ill-affected officers. All those "through the nation" who were "abettors of a late petition" for the Commonwealth were ousted.⁴ "Many in the army," says Baillie, "both in Scotland and England, are cast out."⁵ Clearly Oliver intended that no backward step should be taken. While the Protectorate stood, allegiance must be given to it, as well in the army as out of it. Not less obvious is it that all this cashiering tended to encourage the civil-government party and renew the hope that Cromwell would be king.

Kingship was probably now the only solution for the difficulties which beset the government, and it was generally expected. A new Parliament, it was said, would be called, but a Parliament including the old lords, and the Commons elected by the old constituencies.⁶ Whether the old lords were to be summoned or not

¹ H. Cromwell to Thurloe, March 24, 1657/8, Thurloe, VII. 21. H. Cromwell promptly dismissed Lowe from the army. H. Cromwell to Colonel Cooper, May 19, 1658, *ibid.*, 142, 143.

² Burton, III. 165-166.

³ Thurloe to Monk, February 12, 1657/8, *Clarke Papers*, III. 140; to Lockhart, February ¹¹/_{II}, 1657/8, Thurloe, VI. 793; and to H. Cromwell, February 16, 1657/8, *ibid.*, 806, 807, which gives the facts as here stated.

⁴ Wainwright to Bradshaw, February 19, 1657/8, *Sixth Report of the Hist. MSS. Commission*, 442. Wainwright speaks again of further cashiering in a letter of March 5, *ibid.*

⁵ Baillie to Spang, [June, 1658], Baillie, III. 360.

⁶ "You will have a Parliament called in short time of real Lords and Commons, according to the [—] will of the nation." Wainwright to Bradshaw, February 12, 1657/8, *Sixth Report of the Hist. MSS. Commission*, 442. Again on February 19, "shall have a Parliament once within nine months, called and constituted according to the ancient rights of the nation in the late King's time; . . . The ancient burroughs and cities their ancient number, and the Peers of the nation that have not forfeited their rights." *Ibid.*

it is impossible to say, but certainly the old unreformed system of elections to the Commons would prevail, since the Humble Petition and Advice had not adopted the reformed plan embodied in the Instrument. In any case Cromwell intended to have a new Parliament as soon as possible.

The question of calling a new Parliament came up immediately after the dissolution of the old one. Broghill wrote Henry Cromwell in February that another Parliament was in contemplation.¹ On February 23 Fleetwood wrote that Cromwell's illness was the reason for doing nothing at present.² On March 2 he again wrote that the question of settlement was being discussed, and that in his opinion they would "suddenly have a parliament." The question had been debated thoroughly. "All wayes" had "great difficultyes in them, but this the least, though full of intricacyes."³ It is plain that Fleetwood favored a Parliament, but that others in the council strongly opposed it. Indeed, the question was so far from being settled at this time that Fleetwood added a postscript to his letter saying that "since the wrighting of the former lines" it had become doubtful which way they would take. In brief, the struggle between monarchists and antimonarchists still went on. The antimonarchists were opposed to having a Parliament and wished to raise means for carrying on the government by laying an extraordinary tax upon the Cavaliers.⁴ Unquestionably Desborough was the leader of this faction,⁵ though he was certainly not supported by Fleetwood.⁶ Until March 30 the discussion, according to Thurloe, was "tossed up and downe amongst comitees of severall sorts" and then had "at last come to the councell." The exact position of parties is well described by him: "They inclyne to a parliament, if they can agree what to aske the parliament, and what to submitt to, that shall be done by them and his highnes." Thurloe would give no opinion "because I see what some persons encline to, and what they thinke of a parliament and of such a way of settlement, as a parliament (if well-minded) may bringe forth."⁷ Two weeks later he wrote in a similar strain. There could be no doubt that a Parliament would be decided upon immediately, but

¹ "I am glad there is any hopes of another parliament." H. Cromwell to Broghill, February 24, 1657/8, Thurloe, VI. 820.

² Fleetwood to H. Cromwell, February 23, 1657/8, *ibid.*, 817.

³ Fleetwood to H. Cromwell, March 2, [1657/8], *ibid.*, 840.

⁴ Thurloe to H. Cromwell, March 30, 1658, *ibid.*, VII. 38.

⁵ H. Cromwell to Broghill, [February, 1658], *ibid.*, VI. 790; same to same, April 7, 1658, *ibid.*, VII. 56.

⁶ Same to same, March 24, 1657/8, *ibid.*, 21, 22; Fleetwood to H. Cromwell, April 27, 1658, *ibid.*, 100; same to same, May 24, 1658, *ibid.*, 144.

⁷ Thurloe to H. Cromwell, March 30, 1658, *ibid.*, 38.

for "the feares in some honest men, that they will settle us upon some foundations: and the doubts of some other, that if those feares still prevayle, and soe disappoint a settlement, that then a parliament will ruin us."¹ Here in a sentence he revealed the entire situation. It was kingship or ruin, from the point of view of Thurloe and Broghill; it was kingship and ruin, from the point of view of Desborough and Sydenham. Hence, the calling of a Parliament was not to be rashly adventured. Some agreement between the pros and cons must first be attained. Significant, however, is the readiness of Cromwell and his royalist supporters to summon a new Parliament, for it showed clearly their confidence that such a body would be with them, and that public opinion supported the proposal of kingship.²

It is evident that the opponents of kingship feared that a Parliament would make Cromwell king, and were determined to obstruct by every means in their power the calling of a Parliament. Not only so, but they were bent on suppressing the monarchists as far as possible. They wished to exclude Montague from the council and to hinder Fauconberg from receiving a commission in the army.³ In these circumstances the only policy for the royalists was precisely similar, namely, that of purging the army and council of their opponents. Henry Cromwell and undoubtedly Broghill were anxious to have this policy carried through. The former wrote:

The calling of a parliament signifys nothing, untill the army be sufficiently modelled; for that being full of its humours makes the honest party timorous, and the other insolent in their respective proposalls; . . . I say, the well-framing of the army would insensibly temper, and keep steady the parliament, which no doubt would provide well enough for a councill. The policy of those, who would keep out honest Montagu, etc. is not to be disallowed. I must say, I commend them for their witt; but think withall, that the over-ballancing of these politicians themselves is to be endeavoured; . . . We have ebbd and flowd long enough already. 'Tis now time, as your lordship says, that affairs should run one way or other in a quick current, and, if God so please, to settlement. The intimacy you mention of Fleetwood and Disbrowe with Lambert I do not like; for when such as they dare correspond with such as hee, it argues their power to be greater than one would wish, though I

¹ Thurloe to H. Cromwell, April 27, 1658, *ibid.*, 99.

² This confidence in Parliament is worth noting. It has often been said that Cromwell failed utterly with his Parliaments and could not get along with any. This was evidently not the opinion of Broghill, Thurloe, or Henry Cromwell. As the Parliament of 1656 had been more favorable to Oliver than that of 1654, so the next would probably be more favorable still. Much of this confidence was perhaps based on the fact that the next Parliament would be elected on the old basis. The result was seen in Richard's Parliament.

³ H. Cromwell to Broghill, March 10, 1657/8, Thurloe, VI. 858.

hope no greater then of all the rationall and interessed men of the 3 nations, who, I am confident, will not comply with their designs.¹

The army was the instrument which needed mending first of all; and that must be done by the Protector. As already seen, Oliver had proceeded to some extent in that direction, though Henry Cromwell wished a much more thorough purging. Next in importance was the reform of the council, but if the army was once put on a proper footing, no doubt Parliament would rectify aught that was amiss in the council. The antimonarchical members should be ejected and monarchists taken in. Montague, Broghill, Pierrepont, St. John — these Henry would have taken in; Sydenham, Desborough, Fleetwood — these Henry would have cast out. Meanwhile Lambert was again becoming a factor in politics, and Fleetwood and Desborough were coquetting with him. Action, immediate and decisive, was necessary. No more compromises. "We have ebbed and flowed long enough already."

The discussion over the calling of a Parliament was continued through the first half of April, and was participated in by a council of the army.² By April 20 the civil-government party had so far overcome their opponents that the calling of a Parliament had been resolved upon, though the date of its summons and the nature of the business to be laid before it were still undetermined.³ The struggle between the contending factions was to be waged about this latter subject — or in other words, over the proposal to allow Parliament to proceed to any settlement it pleased. Such a settlement would probably mean kingly government.

This was the general opinion, and it must be obvious that the failure of the last Parliament had strengthened the determination of the monarchists to make Cromwell king. As early as February 24 Henry Cromwell wrote to Broghill, "I trust his highness will bring the army to such a state, as that there may be no danger of them, whilst his friends in parliament are hammering out our settlement."⁴ Further letters of Henry's written in April and May leave no doubt that he and Broghill were still of the opinion that kingship could

¹ H. Cromwell to Broghill, March 10, 1657/8, *ibid.*, 858. See also H. Cromwell to Thurloe, March 10, 1657/8, *ibid.*, 857.

² "The Privie Council of his Highnesse, and another Councell of the army have been this weeke in debate of great business of calling a Parliament (which it's thought will sitt in May next), and likewise of a more future and more absolute settlement, then the Petition and Advice doth hold forth." G. M.'s News-letter, April 3, 1658, *Clarke Papers*, III. 145.

³ "K is resolved on: but when uncertain." Fauconberg to H. Cromwell, April 20, 1658, Thurloe, VII. 85. On the same day Thurloe wrote that Parliament would probably be summoned "very shortly." *Ibid.*, 84.

⁴ H. Cromwell to Broghill, February 24, 1657/8, *ibid.*, 820.

be attained.¹ The Irish army, probably influenced by Henry, petitioned that the Protector should go on to make "a thorough settlement of these our enjoyments; and that, upon such a Basis, as may be most firm in itself, and most suitable to the constitution of these nations."² The last phrase obviously pointed to kingship as the desirable basis. In Baillie's opinion the addresses of the armies in both Scotland and England also encouraged "the Protector to proceed," and it was thought, he added, that "on the councill's act and armie's petition, the Crown shall be put on." "Sundry shyres" were also "said to be forming petitions to his Highness to accept of the title of King."³ Without doubt, many of those who signed the army petitions must have done so in the expectation that kingship would be the outcome. As to the shires, certain petitions did appear in July and August, asking for settlement, with an evident reference to kingship as the government "most natural and acceptable to the nation."⁴

The need of settlement—a settlement that would compel the obedience of those inclined to royalty—was ominously emphasized by the prominence among the conspirators in the plot of 1658 of many young royalists who had hitherto shown themselves well-affected to the Protector and his government.⁵ This was a grave and most significant fact; for this younger generation, which had taken no active part in the quarrels of the past, should have known no allegiance excepting that to the established government. It was otherwise, however, and largely because these young men found themselves excluded from all participation in public affairs because they were members of Cavalier families; partly, too, no doubt, because of the severity with which the government of the major-generals had handled the Cavaliers. It was necessary to have a settlement that should strike at the sources of this disaffection.

¹ April 7, 1658, *ibid.*, VII. 56; April 14, 1658, *ibid.*, 72; [May?], 1658, *ibid.*, 115.

² *Public Intelligencer*, June 14-21, 1658.

³ Baillie to Spang, [June, 1658], Baillie, III. 360.

⁴ "V. That in your Highness life time such provision be made for the future Government of the Commonwealth, as may secure the interest of the good people of these Nations for succeeding Generations, That they may call you Blessed." Petition to Oliver of justices of peace, etc., of Nottingham, July 23, 1658, *Public Intelligencer*, August 9-16, 1658.

⁵ "And that your Highness would be pleased to enlarge our hopes of the continuance and increase of our present happines, by the further settlement and practice of that Government amongst us, which hath been found most natural and acceptable to this Nation, and is such as (administered by good hands) will we doubt not very much tend to the tranquility and felicity of this Commonwealth, your Highness and posterity." Petition from the grand jurors of the county of York, *Mercurius Politicus*, August 12-19, 1658.

⁶ "And they have enticed many young gentlemen, that were never before of their party." Thurloe to H. Cromwell, April 27, 1658, Thurloe, VII. 99. See also H. Cromwell's remarks on the young Cavaliers. To Thurloe, June 30, 1658, *ibid.*, 218.

It is a question of prime importance to determine Cromwell's attitude towards the renewal of the project of kingship. Bernardi asserted positively that Cromwell designed to be king;¹ and the author of the *Second Narrative* remarks that it "is reported" that though Cromwell refused the kingship, he "hath since repented his then Refusal."² That either of these individuals spoke with authority cannot be pretended, but certainly Cromwell had had reason to regret "his then refusal," and since he had once with much less provocation determined to accept kingship, one is surely justified in inferring that now he would willingly have become king. Moreover, if Broghill was to be believed, Cromwell had certainly concluded to accept the monarchical form of government. "I hope," wrote Henry Cromwell, "his highnes brave resolutions not to be cozened again will beget a serenity in your lordship's intentions."³ And in May he hoped that "his highnes's . . . promises that he will ratify and prepare the army for due compliance, etc." would encourage Broghill not to retire.⁴ It is clear from these quotations and from the general tone of Henry's letters that Broghill had asserted that Cromwell would "prepare the army for due compliance," in other words, that he was ready to assist in establishing the new monarchy.

That Cromwell was willing to accept such a settlement is also inferable from Thurloe's letters, as will be seen. That such a willingness would be apparent to the antimonarchists and that it would aggravate their opposition to kingship is self-evident. They had attempted to prevent the calling of a Parliament, and despite the resolution taken by the council that a Parliament should be summoned, they were still capable of delaying indefinitely the meeting of that body. The leaders of the republican faction in the council hit upon a bold expedient to thwart the monarchists. This was no less than the reconciliation of Cromwell with the leaders of the old Long Parliament. It was suggested that to this end Vane, Ludlow, and Rich should be taken into the council. Of course this plan contemplated a considerable return to the system of the Commonwealth, for no one could believe that such irreconcilables as these would ever consent to the protectoral government, not to speak of kingship. That they had been approached is certain, and that it was the antimonarchists who wished to call them into the council is also certain.⁵ Nothing, however, came of this effort at reconciliation.

¹ Bernardi, March $\frac{21}{31}$, 1658, Prayer, 475.

² *Second Narrative, Harleian Miscellany* (edition of 1745), III. 462.

³ H. Cromwell to Broghill, April 14, 1658, Thurloe, VII. 72.

⁴ H. Cromwell to Broghill, [May?], 1658, *ibid.*, 115.

⁵ "I am glad to hear of Ludlow, Rich, and also Sir Harry Vane's compliance," wrote Henry Cromwell. He doubted, however, the completeness of that compliance,

Progress in any direction seemed indeed to be impossible. "As for our owne affaires," wrote Thurloe, "they stand much at one staye: some discourses have beene this weeke about a settlement, and how to prepare for the comeinge of a parliament; but I doe assure your excellency, that I cannot finde the mindes of men soe disposed, as may give the nation the hopes of such a settlement as is wish'd for; and truly I thinke, that nothinge but some unexpected providence can remove the present difficulties."¹ This was on the first of June; and two weeks later Fleetwood wrote that "farther considerations of what is necessary as previous to the parliament" had been had, but "no resolution" had yet been reached.² Despairing of ever getting the matter determined by the council, Cromwell now appointed a committee of nine to settle it.³ Of course it was necessary to place members of both factions on this committee, and Cromwell would certainly never have dreamed of constituting it otherwise. The antimonarchists, however, had a majority, though two of their number were lukewarm in opposition. When Henry Cromwell was informed of the constitution of this new body, he spoke with bitter scorn and contempt of the new body and of the effort to reach settlement through its mediation.⁴ His contempt was justified, for after several weeks of debate on the question of settlement the majority "voted that succession in the government was indifferent," it might well be either by election or hereditary. This colorless conclusion was, of course, satisfactory to no one; and several of the antimonarchists insisted upon the

and added, "Neither do I think, that your affairs will gain much reputation by their being in your councell." He continues: "Is it not also a matter worth observation, who are the men, that are most industrious to call in such help? May it not be a design to obstruct and clog the business, when no other way is left to hinder your settlement, or cover their own disaffection? . . . He, that runs along with you, may more easily trip up the heels, than he, that wrestles with you; but my jealousy is easily appeased, when you say his highness hath an opportunity in his hands to settle." H. Cromwell to Thurloe, June 2, 1658, *ibid.*, 154, 155.

¹ Thurloe to H. Cromwell, June 1, 1658, *ibid.*, 153.

² Fleetwood to H. Cromwell, June 15, 1658, *ibid.*, 176. Fleetwood expected Parliament to meet in September.

³ "There are 9 in number, who dayly meet for consideringe of what is fitt to be done in the next parliament. . . . The 9 are lord Fiennes, lord Fleetwood, lord Desbrow, lord Chamberlayne, lord Whalley, Mr. comptroller, lord Goffe, lord Cooper, and Your Excellency's

Most humble and faithfull servant

Jo. Thurloe."

Thurloe to H. Cromwell, June 22, 1658, *ibid.*, 192. See also Philips's remarks upon this juncto and Cromwell's balancing of parties on it, in his *Continuation of Baker's Chronicle* (ed. 1674), 652.

⁴ "The wise men were but 7. It seems you have made them 9; and having heard their names, I think myself better able to guess what they'll do, then a much wiser man; for no very wise man can ever imagine it." H. Cromwell to Thurloe, June 30, 1658, Thurloe, VII. 218.

desirability of the elective method as specified in the Humble Petition and Advice, "that is, that the chiefe magistrate should alwayes name his successor, . . . and I feare the word *desirable* will be made necessary, if ever it come upon the tryall,"¹ complained Thurloe. The question of the succession was evidently still the kernel of the whole problem. Of course, if succession was to be hereditary, the protectorate was in all essentials a monarchy.

Cromwell's position is pretty clearly determinable by his reception of the committee's report. He discharged them from further consideration of the matter, and declared that he would "take his own resolutions," that he could no "longer satisfie hymselfe to sitt still, and make himselfe guilty of the losse of all the honest partye, and of the nation itselfe."² This was a decisive declaration in favor of the monarchists, as Thurloe evidently believed. Cromwell was apparently determined to act, and in the way they desired. Still the opposition waxed no fainter, and the egress from the political *cul-de-sac* was not found. "I doubt the thinge most to be feared," said Thurloe, "is, that some men, who oppose, and, I beleeve, will certainly disappoint such a settlement, which others can positively advise, doe not know what they would have; and it may be account it the best way to fix no where, but to fancye themselves in the condition of Israel in the wilderness, who knewe not overnight which way their journey was to lye the next morning. And truly," he adds, with acrid pleasantry, "I should rejoyce to be in this condition, if these gentlemen had as sure a guide as the Israelites."³ Only one thing was resolved upon—that a Parliament should be called as soon as possible. Undoubtedly to it would have to be remitted the solution of the problem of government.

All speculation and all further attempts were frustrated by the events of August and September, 1658. The illness of Lady Clay-

¹ "As I take it, the report was made to his highnesse upon thursday. After much consideration, the major part voted, that succession in the government was indifferent, wheither it were by election or hereditary; but afterwards some would needs add, that it was desirable to have it continued elective; that is, that the chiefe magistrate should alwayes name his successor, and that of hereditary avoyded, and I feare the word *desirable* will be made necessary, if ever it come upon the tryall." Thurloe to H. Cromwell, July 13, 1658, *ibid.*, 269.

² "I beleeve wee are out of the daunger of our junto, and I thinke alsoe of ever havinge such another. . . . His highnes, findeing he can have noe advice from those he most expected it from, sayth, he will take his owne resolutions, and that he cannot any longer satisfie hymselfe to sitt still, and make himselfe guilty of the losse of all the honest partye, and of the nation itselfe; and truly I have long wished, that his highnes would proceed accordinge to his owne satisfaction, and not soe much consider others, who truly are to be indulged in every thinge but where the beinge of the nation is concerned." Thurloe to H. Cromwell, July 13, 1658, *ibid.*, 269.

³ Same to same, July 27, 1658, *ibid.*, 295.

poole kept Cromwell from all business and put off the calling of Parliament, so that it could not possibly meet before October.¹ As a consequence, the Parliament never met. Oliver died on the third of September, and all hope of successfully settling the government, excepting in the Stuarts, was at an end. The question concerning kingship had created a permanent division in the Cromwellian ranks, a division which must result in open and irreconcilable hostility after Oliver's death, while the contending factions were so nearly balanced. Had he lived ten years longer, no doubt he would gradually have weeded out the troublesome officers in the army, reconstructed his council, accepted the royal office, and suppressed the republican opposition. The decisive and immediate action so much desired by his son Henry he certainly never would have taken; and he would have been right in not taking it. Such action might have led to an immediate insurrection and so have destroyed all prospect of settlement. Men who had held power so long could not consent to being shelved in this easy fashion. Besides, if not friends of the younger Cromwells, they were the men who had most assisted in the making of Oliver. The situation demanded patience, a quality always at Oliver's disposal and always exercised by him. Time was the essential requisite, and had this been granted, the line of Cromwell might well have supplanted that of Stuart. There was no popular demand for the restoration of Charles II. What was known of him in England was distinctly to his discredit, and few even of his own partizans had hopes of his return. Time, however, was not granted. At Oliver's death the position of parties was such that Richard Cromwell's protectorate could not possibly endure; and the only wonder is that he managed to hold his own for the space of nine months. Even this would have been impossible, had the opposing factions been resolved upon anything, had they not been in such a condition that they did "not knowe what they would have" and could "fix no where." When once they had reached a conclusion, Richard fell; and so far as the Puritan cause was concerned, all could say, as Oliver feared he might be compelled to say, "*Actum est de Anglia.*"

RALPH C. H. CATTERALL.

¹ "Thes late providences hath much retarded our publicke resolutions, that it will be October ere the parliament can sitt." Fleetwood to H. Cromwell, August 3, 1658, *ibid.*, 309.

ELECTION OF DELEGATES FROM NEW YORK TO THE SECOND CONTINENTAL CONGRESS

THE history of political parties in New York during the Revolution is the history of the differentiation of the popular party into revolutionist and loyalist. It is true that from the first there was the germ of a loyalist party in the so-called court faction which in the early part of the eighteenth century played an important part in provincial politics. But after 1733 the important fact was the growth of the popular faction under the lead of the Livingston family until in the early period of the Stamp Act troubles the court faction all but disappeared. For the moment the province found unity in a somewhat indiscriminating anti-British protest. But this unity was momentary only: from 1765 to 1776 the central fact was the gradual differentiation of the anti-British party into various factions, out of which were ultimately formed the irreconcilable parties of loyalist and revolutionist.

As early as the Stamp Act riots in November, 1765, the landed class began to draw away from the popular movement, estranged by the mob violence which threatened its property, and by the increasing importance of the unfranchised classes which threatened its political supremacy. In 1770 the merchants also separated from the popular party. The commercial disadvantage of absolute non-intercourse had driven them to advocate a policy of partial non-intercourse — non-intercourse, namely, in respect to those commodities only which were subject to parliamentary taxation. With the arrival of the East India Company's tea-ships in 1773-1774, the popular party was reorganized under the name of the Sons of Liberty; and the merchants and landed classes in a sense drew together and formed what may be called the conservative party. By 1774 the separation of radicals and conservatives was measurably complete. The latter, who wished to direct resistance along lines of compromise and conciliation, were in favor of partial non-intercourse and negotiation; the former, who were not unwilling to carry resistance to the very edge of revolution, were in favor of absolute non-intercourse and mob violence.

Such were the main issues round which centered the struggle for the delegates to the Continental Congress. The key to the

situation is to be found in the effort of the conservatives. While the progress of events from 1774 to 1776 in America and in England tended steadily to define the issue more and more precisely in terms of revolution and loyalism, the conservatives attempted throughout to steer a clear course between absolute resistance on the one hand and absolute submission on the other. They attempted to do this by gaining control of the popular organization and dictating through this organization the election of delegates to the first Continental Congress, and by opposing the effort of the radical organization to control through a provincial convention the election of delegates to the second Continental Congress. The significance of the period consists in the practical failure of the conservative programme, and in the ultimate disintegration of the conservative faction. In a previous paper¹ conservative activity in respect to the election of delegates to the first Continental Congress was considered. It is the purpose of this paper to show in some detail how the struggle for delegates to the second Continental Congress operated to complete the disintegration of the conservative faction.

While the conservatives were nominally successful in electing their delegates to the first Continental Congress, the action of that body was of immense importance in the party transformations of the immediate future — was, in fact, the first step in the disintegration of the conservative faction. Its immense importance lay in the fact that in sending delegates to a general congress the two factions in New York virtually agreed to throw the burden of forming a policy of resistance upon an authority outside the province; consciously or unconsciously, they thereby surrendered the privilege of having a policy of their own. The decision of Congress, while it carried no legal sanction with it, would necessarily exercise a profound influence, especially if it adopted the policy of one faction and rejected that of the other. This is almost precisely what the first Continental Congress did; it adopted a policy of absolute non-intercourse and drew up an Association to that effect, recommending that committees be appointed in every province, county, and town to see that it was signed as generally and enforced as rigorously as possible.² The radicals then had only to continue as they had begun. To the conservatives, on the other hand, two paths were open — either to use the decision of Congress as an excuse for changing their attitude, or to put themselves in opposition to the united decision of the colonies.³ It was manifestly impossible to follow both

¹ *Political Science Quarterly*, March, 1903.

² *American Archives*, I, 913.

³ Cf. Thomas Young to John Lamb, Oct. 4, 1774, MS. Papers of John Lamb, 1774-1775. The John Lamb Papers are in the New York Historical Society Library.

paths ; composed, as the conservative party was, of incipient revolutionists and of incipient loyalists, it was impossible to follow either as a party. Practically, the result of the first Continental Congress was to split the conservative faction in two ; a part followed one path, a part followed the other. The voice of all the colonies, speaking out, as it were, in sharp rebuke against the policy which the conservatives in New York had advocated, came like an ultimatum both to those who were ready for forcible resistance and to those who were prepared to remain faithful to the home government when no other alternative offered.

This result was realized with measurable completeness in the events leading up to the election of delegates to the second Continental Congress. Meanwhile, the question immediately in hand was whether the action of the first Continental Congress should be approved or not, and, if approved, how its recommendations respecting the Association could be most effectively carried out. In the city this led to the election of a new committee — the Committee of Sixty, sometimes called the Committee of Inspection.

On November 7 the Fifty-One resolved that the freemen and freeholders should be requested to assemble on November 18, at the usual places of election and choose eight persons in each ward to act as a committee of inspection for the enforcement of the Association.¹ In passing this resolution without a division the conservative committee may appear to have accepted the verdict of Congress without reservation. On closer inspection, however, it will be found that the committee was principally intent on making the best of a bad situation. In its recommendation for the election of committees Congress had suggested that the suffrage be limited to freeholders and freemen. There was some consolation for the Fifty-One in the fact that this limitation, if observed in New York, might place the control of the Association there in conservative hands. It is to be observed further that the resolution by which the conservative committee called for the election of committees of inspection made no provision for the dissolution of the Fifty-One ; and it is more than likely that the new committees were intended to serve merely as ward committees under the supervision of the Fifty-One as a central committee. If the conservatives, therefore, took the first step in response to the recommendations of Congress, it was only that they still hoped to direct where they were no longer able to control ; an initial willingness to act upon the suggestion of Congress might save, it was hoped, the life and influence of the conservative organization.

¹ 4 *American Archives*, I. 328, 329.

It was hardly to be expected, perhaps, that the radicals would fail to see the tendency of such action. On Sunday, November 13, the Mechanics Committee, which now represented the radicals, published a broadside calling for a special meeting of that body at 4 o'clock and a general mass-meeting of all radicals at 5 o'clock on the following day, for the purpose of discussing the questions raised by the resolutions of the Fifty-One.¹ It is not known precisely what was done at either of these meetings, but it is obvious that the proposals of the conservative committee were found unsatisfactory. The Fifty-One on the evening of the same day addressed to the Mechanics Committee a letter requesting a conference on the day following, in order that a "mode that shall be agreeable to their fellow citizens in general" might be arranged.² This conference resulted in the adoption of a plan widely different from the original proposition of the conservatives. Instead of ward committees, there was to be a general committee of inspection of not more than seventy nor less than sixty members. It was to be elected by the freemen and freeholders, not in ward elections, but at the city hall, under the supervision of the vestrymen. Finally, it was understood that the election of the new committee should be followed by the immediate dissolution of the Fifty-One.³

If this arrangement is to be regarded as a compromise, it was a curiously one-sided one. There were two points which it was of serious importance for the conservatives, if they wished to remain conservative, to hold to—the limitation of the suffrage, and the continued existence of the Fifty-One. Virtually, both points were given up. It is true the suffrage was not technically extended, but the method of election was so changed that the suffrage ceased to be a matter of any importance: to say that the committee should be elected by the freemen and freeholders, at the city hall, under the supervision of the vestrymen, was only crudely to conceal the fact that the decisive method of election by ballot was to be replaced by the indecisive method of election in general mass-meeting. The second point was given up without reservation, and this was, after all, the matter of vital importance. Its importance consisted in the fact that in losing the Fifty-One the conservatives were

¹ Broad sides, I. (Broad sides used in this paper are from the collection in the New York Historical Society Library.)

² The letter was dated 6 o'clock, November 14, and addressed to Daniel Dunscomb, chairman of the Mechanics Committee. 4 *American Archives*, I. 329.

³ 4 *American Archives*, I. 330. In announcing this change the Fifty-One explained that whereas there was apprehended certain inconvenience from the first plan, and "this committee having taken the same into further consideration, and having consulted many of their fellow citizens, and also conferred with the Committee of Mechanics," etc.

losing their independent organization. The new committee, nominated by both factions, could not represent the conservatives as the Fifty-One had represented them. On the contrary, it would stand quite as much (more, indeed, as the sequel proved) for radicalism as for conservatism. There was, consequently, no more inherent reason for the dissolution of the old conservative Committee of Fifty-One than there was for the dissolution of the old radical Committee of Mechanics. But by the present arrangement, after both parties had united in the formation of a new joint organization, one party was required to dissolve its old special organization, the other was not.

The Fifty-One accordingly issued a second notice on November 15, indicating the change which had been agreed to. The election was fixed for Tuesday, November 22.¹ On that day a respectable number of "freeholders and freemen" appeared at the city hall; and the ticket which had been prepared according to agreement was elected without a dissenting voice.² With the election of the Committee of Sixty the Fifty-One ceased to exist.

The election of the Committee of Sixty and the dissolution of the Committee of Fifty-one was the logical result of the first Continental Congress. It prepared the way for the disappearance of the conservatives as a party. Since the colonies as a whole had taken a stand, it was out of the question for a local party to direct the resistance to the home government on lines laid down by itself. It was necessary to take the stand that all of the colonies had taken, or to stand against them: and to stand against them was very nearly the same, in the indiscriminating popular mind, as to stand with the home government. Increasingly the question which confronted each party was whether it would stand with Congress and the colonies or against Congress and with England. This question now confronted the conservatives in New York. As a party, there was no longer any place for them; as individuals, would they prefer ultimately to become loyalists or revolutionists? Some were ready for the latter; some could do no less than the former. The result was that just as the old Committee of Fifty-One had from the first practically had a large majority for conservative measures because the moderates were then prepared to work with the extreme conservative wing of that committee, so the new Committee of Sixty now had practically a large majority for radical measures because the same moderates were now prepared to work with the extreme

¹ *Ibid.*

² *Ibid.*; Colden, Letter-Book, II., *New York Hist. Soc. Coll., Fund Series*, X. 372; *Rivington's Gazetteer*, November 24, 1774; *New York Mercury*, November 28, 1774.

radical wing of this committee.¹ Of the original Fifty-One thirty members² found places on the Committee of Sixty. With one or two exceptions,³ these thirty were taken from the extreme radical wing of the Fifty-One and from those moderate conservatives who ultimately preferred to become revolutionists rather than loyalists. Those of the Fifty-One who found no place on the Sixty represented, for the most part, that phase of conservative thought which pointed away from revolution and towards loyalism. The thirty members of the Sixty who had not been members of the Fifty-One⁴ were men who represented, with some exceptions, radicalism in thought and in action.

In the counties, it has already been pointed out, scarcely any part had been taken in the agitation previous to the movement for the first Continental Congress. Even that movement had resulted there in little positive effort, and in no positive organization of those elements which in New York coalesced into the conservative faction: only the radicals, and they in some counties only, had made a beginning. Consequently, when Congress sent into the counties⁵ its recommendation for an Association, there was not there, as in the city, two definitely organized factions; there was, for the most part, only opinion, prejudice, and some conviction, mostly in solution. Yet the result of the first Continental Congress was essentially the same in the counties as in the city. As there was no longer any place for the conservative faction in the city, so it was too late for such a faction in the counties; in the counties, as in the city, it was increasingly a question of standing with the Congress or with the home government. The same process of separation into loyalists and revolutionists was begun in both places. The difference was that in the counties there was no conservative faction to be disintegrated, and there was less of a radical organization to work

¹ Smith to Schuyler, November 22, 1774, Lossing, *Schuyler*, I. 288; Colden to Dartmouth, December 7, 1774, Letter-Book, II., *New York Hist. Soc. Coll., Fund Series*, X. 372.

² Isaac Low, Philip Livingston, James Duane, John Alsop, John Jay, P. V. B. Livingston, Isaac Sears, David Johnson, Charles Nicholl, Alexander MacDougall, Thomas Randall, Leonard Lisenard, Edward Laight, William Walton, John Broom, Richard Hallett, Charles Shaw, Nicholas Hoffman, Abram Walton, Peter Van Schaack, Henry Rensen, Peter Curtenius, Abram Brasher, Abram P. Lott, Abram Duryee, Joseph Bull, Francis Lewis, John De Lancey, John B. Moore, Gilbert H. Ludlow.

³ Peter Van Schaack and Isaac Low were the notable exceptions.

⁴ John Lasher, John Roome, Joseph Totten, Samuel Jones, Frederick Jay, William W. Ludlow, George Janeway, Rudolphus Ritzema, Lindlay Murray, Lancaster Burling, Thomas Ivers, Hurcules Mulligan, John Anthony, Francis Barrett, Victor Bicker, John White, Theodore Anthony, William Goforth, Wm. Denning, Isaac Roosevelt, Jacob Van Voorhees, Jeremiah Platt, William Ustick, Comfort Sands, Robert Benson, William W. Gilbert, John Berrien, Nicholas Roosevelt, Edward Fleeming, Lawrence Embree.

⁵ The recommendation came to the counties through the Fifty-One. 4 *American Archives*, I. 328, 329.

with. The process of separation was slower, the balance of power was not always with the radicals. Not until the force of arms began to replace free discussion did the disappearing opposition of the loyalists leave a free field for revolutionist organization.

In the counties, as in the city, the first question to be answered was embodied in the recommendations of Congress. While the Association was doubtless circulated in all of the counties, the result is unknown or was indecisive¹ except in the three that acted upon it favorably — Albany, Suffolk, and Ulster. The Albany committee, which had now become a permanent organization, ratified the action of Congress on December 10. So decidedly was the committee in favor of the Association that the New York delegates were requested to explain why they voted to permit the exportation of rice from South Carolina.² The Suffolk County committee met November 15 at the county hall, approved the action of Congress, and referred the enforcement of the Association to the town committees.³ In Ulster committees were appointed, agreeably to the resolution of Congress, in the towns of Kingston,⁴ New Windsor,⁵ Hanover,⁶ Showangnuk,⁷ and Walkill.⁸ Mention is made of a county committee, but whether this refers to the Kingston committee, which may very likely have acted as a county committee, or to a separately organized general county committee, is unknown. No organized opposition appears to have existed.

The remaining counties, so far as is known, did not individually place themselves on record as being either in favor of or in opposition to the policy of Congress. Some feebly intimated their confidence in the Assembly; others waited, perhaps, for that body to take the initiative. While the Assembly, which was elected in 1769, cannot be considered as in any sense representative even of the conservative counties at this time, its action is the only record we have of the sentiments of those counties that made no definite reply to the recommendations of Congress.⁹ Whether representa-

¹ E. g., Dutchess, 4 *American Archives*, I. 1164. In Queens there appears to have been about equal division of opinion, *ibid.*, 1027, 1035, 1191; Onderdonck, *Documents and Letters*, 14, 17, 20, 21; *New York Mercury*, January 9, 16, 1775; *Livingston's Gazetteer*, January 5, 1775. In Orange about half refused to sign, *Calendar of Historical Manuscripts*, I. 5 ff.

² 4 *American Archives*, I. 1097, 1098.

³ *Ibid.*, 1257, 1258.

⁴ *Ibid.*, I. 1100; II. 298; *New York Mercury*, April 17, 1775.

⁵ 4 *American Archives*, II. 131, 133.

⁶ *Ibid.*, I. 1191.

⁷ *Ibid.*, I. 1183, 1230.

⁸ *Ibid.*, I. 1201.

⁹ The Assembly was petitioned to censure Congress and to negotiate with the King for redress of grievances. Cf. To the Freemen, Freeholders, etc., January 19, 1775, Broad-sides, I.

tive or not, the action of the Assembly in the winter of 1775 has this significance: much of the opinion, prejudice, and conviction which in the counties was still in solution after the first Continental Congress remained so for the time being because it was known that the colony's legal representatives were about to take a stand on the precise question which the extra-legal representatives of all the colonies had made the vital question — the question of standing with the colonies or with the home government. In February the Assembly took its stand; by a vote of almost two to one it was decided not to thank the delegates to the first Continental Congress and not to send any delegates to the second.¹ On the other hand, it attempted to take matters into its own hand; in March it sent a petition to the King, a memorial to the Lords, and a remonstrance to the Commons.² The action of the Assembly, which pleased the English government³ and helped to crystallize sentiment in New York, was an effort, and all but the last one, to stand in the place and to do the work of the old conservative Committee of Fifty-One. But it was too late to accomplish anything along these lines; the only result of the Assembly's action was still further to disintegrate the very party whose policy it was thus tardily attempting to make effective.

The first test had now been made. New York and three other counties had answered in favor of Congress; the rest had given no more definite answer than might be read into the action of the Assembly. The most important test was still to come — the election of delegates to the second Continental Congress.

The decision of the Assembly had no sooner cleared the way than the matter was taken up by the radicals in New York through their Committee of Sixty. On February 27 Van Brugh Livingston moved that the committee should take into consideration "the ways and means of causing delegates to be elected to meet the delegates of the other colonies . . . in general Congress."⁴ On March 1, when the question was again taken up, the committee, concluding that it had no power to elect the delegates itself, decided to refer the matter to the freeholders and freemen. A notice was accordingly published summoning the freemen and freeholders to meet at the Exchange on March 6 to "signify their sense of the best method

¹ *4 American Archives*, I. 1289, 1290; Colden, Letter-Book, II., *New York Hist. Soc. Coll., Fund Series*, X. 389; Deane Papers, V., *New York Hist. Soc. Coll.*, 1890, pp. 538, 539.

² *4 American Archives*, I. 313.

³ *Ibid.*, II. 27, 28, 29, 122, 123, 252.

⁴ Broad-sides, I. The motion was carried with only one dissenting vote, that of Samuel Jones.

of choosing such delegates, and whether they will appoint a certain number of persons to meet such deputies as the counties may elect for that purpose, to join with them in appointing out of their body delegates for the next Congress."¹ Whether consciously worded or not, the fact is that the two purposes expressed in this document are somewhat inconsistent with each other. If the freemen and freeholders were to be asked to decide how they preferred to elect their delegates to Congress, it is not clear why they should be asked whether they would take part in a provincial convention; it is not clear why the committee should express a desire to refer the question of method in the election of delegates to the freemen and freeholders, and then, before there could be any decision of that point, thrust their own definite plan so intrusively in their faces. In truth it would be quite superfluous for the freemen and freeholders to consider the first question (the question of the best method) if they were expected in any case to consider the second question (the question of a particular method); and, under the circumstances, a refusal to adopt the committee's plan would be very nearly equivalent to a refusal to have any part in the second Continental Congress. It is clear, therefore, not only that the radicals were in favor of sending delegates to Congress, but also that they wanted those delegates to be chosen by a provincial convention composed of deputies from all the counties in the colony. Such a method of choosing delegates would almost necessarily diminish the relative influence of New York city in the Congress; it is, consequently, necessary to understand why the radicals in the city were in favor of a provincial convention.

The answer to this question is to be found in the fact that under existing conditions, in spite of the radical control of the Sixty, the old method of electing delegates would most likely result in sending the same kind of a moderately conservative delegation to the second Continental Congress that had been sent to the first; the relative influence of New York city was to be reduced in order that the influence of the colony as a whole might be less conservative. A brief review of the conditions which faced the radicals will make

¹ Broadside, I.; *Rivington's Gazetteer*, March 9, 1775; *New York Mercury*, March 6, 1775; 4 *American Archives*, II. 4. A provincial convention had been urged in connection with the election of delegates to the first Continental Congress, by the radicals in New York city in their resolutions of July 6, 1774 (*New York Mercury*, July 11, 1774), and again in their resolutions of July 20, 1774 (*New York Mercury*, July 25, 1774). In connection with the second Continental Congress the earliest suggestion appears to have come from Suffolk County. A county meeting on February 23, 1775, resolved that if the Assembly refused to appoint delegates, "the Committee of Correspondence for . . . New York be desired . . . in that case to call a provincial convention for that purpose." 4 *American Archives*, I. 1257.

this clear. The delegates to the first Continental Congress had been elected by counties. The apathy in the rural counties had resulted in sending a delegation from the colony in which the city delegates (five in number) exercised a determinative influence, not only because of their numbers, but also because of their personal ability and influence. That influence was, if not decisively conservative, at least only moderately radical. The problem which confronted the radicals was how to secure a delegation to the second Continental Congress which would exercise a more radical influence. If the old method of election was adopted, this could be done in one of two ways — either by electing a new and radical delegation from the city or by electing sufficiently large and radical delegations from the counties to outvote and, what was more important, to outweigh in influence the old delegation from the city. Neither plan was practicable. The old city delegates were men of the highest standing and of wide influence. They had not seriously opposed the action of the first Continental Congress, nor had they refused to support the Association. With two exceptions¹ they represented at its best that part of the conservative faction which was ultimately prepared to join the revolutionists. But they had not as yet gone very far in that direction. Without being sufficiently radical to suit the Committee of Sixty, they were not sufficiently conservative to be in any sense out of the race. To defeat these men was probably impossible; to attempt to do so was, in any case, impracticable. On the other hand, it was unwise to depend on the election of large radical delegations from the counties; the action of the counties on the Association had been all but decisive on that point. The alternative was a new method of election which would enable the Sixty at once to support the old city delegates and to neutralize their influence. A provincial convention would enable the Sixty to do this, because the city delegation to a convention might properly be made sufficiently large to leave the old delegates in a minority; whereas it would be out of the question to send so large a delegation from the city directly to the Congress. In the same way the convention could easily form a delegation for the province as a whole in which the old delegates should find a place, but in which they could no longer exercise a determinative influence; and this could most probably be done equally well whether the rural counties took an active part in the convention or not.²

¹ Isaac Low and John Alsop.

² The motives of the radicals are sufficiently well revealed in the broadsides which were circulated in defense of the convention. In answer to the objection that a convention will deprive the city of "their old delegates," it is stated that New York cannot

The conservative element, in the committee and out of it, divined the purposes of the Sixty and made an ineffectual attempt to defeat them. A meeting was held at Montagnie's on March 3, presided over by John Thurman. The proposals of the Sixty were disapproved of, first, because there was not time enough before March 6 to settle so important a question; second, because the method of taking the vote "by collecting the people together" was inexpedient, since it permitted of no distinction between freeholders and freemen, who had a right to vote, and "such as were collected on purpose to make a show of numbers"; third, because a provincial convention tended directly to the introduction of a provincial congress. It was accordingly suggested that the whole matter be postponed until the reply of the English government to the Assembly's proposals should have been received; if nothing could be effected in this way, then let the poll be opened in the usual places for the election of delegates to a convention by freemen and freeholders only. The conservatives declared they were not necessarily opposed to Congress, or even to a convention, but to the haste with which the matter was being pushed through.¹ The protest was scarcely heeded. An answering broadside appeared the next day,² and in the evening some radicals met and resolved to support the proposals of the committee.³

On Monday, March 6, the day fixed by the committee for the meeting, preparations began early. The vote was to be taken at noon. In mid-forenoon the radicals began to assemble at the liberty-pole, and by eleven o'clock they were on the way to the Exchange, carrying a banner on one side of which was the inscription, presume to elect delegates for the whole colony, and, on the other hand, it is improper to crowd the Congress with delegates from each county. In another broadside of the same date, March 14, the author, who signs himself "A Friend to the Congress," says that "the necessity of this mode of choosing the delegates for the colony arises from the counties having taken offense at the conduct of this city in choosing the last delegates without consulting the counties. . . . The tale that your late delegates are excluded, is a mere trick; for there is the highest probability that they will be chosen by the deputies of the counties as they are in the . . . nomination of the committee." Broadside, I. Cf. 4 *American Archives*, II. 139.

¹ *Ibid.*, 48, 49.

² The author, who calls himself "A Tory," makes the following points: (1) The sense of the city can be taken Monday as well as any other time. (2) A convention is the plan used by the colonies of New Jersey, Virginia, Maryland, and North Carolina. (3) Little probability that the Assembly will appoint delegates. "And as to the danger of their being influenced by the measure, I really can see no great harm in a Representative being influenced by his constituents, on the contrary they ought to be." (4) As for waiting advice from England, "may as well wait for the conversion of the Pope as the arrival of the Packet." (5) "That whomever says the committee have prescribed rules for the counties, lies under a mistake, they mean only . . . to propose it to the counties and consult with them on the occasion." To the Learned and Loquacious Chairman, March 4, 1775, Broadside, I.

³ 4 *American Archives*, II. 48.

"George III Rex, and the liberties of America," and on the other, "The union of the Colonies, and the measures of Congress." About the same time the opposite party, strengthened, as was alleged, by royal officials, civil and military, began a similar procession from Montagnie's. When the processions met at the Exchange, a general mêlée was avoided with difficulty. Order having been restored, the chairman of the Sixty announced the questions upon which the vote was to be taken. The questions, as now announced, were not formulated as they had been by the committee in its handbill of March 1 — indeed they were not the same questions at all. The first question announced by the chairman was whether deputies should be sent to a provincial convention; the second, whether the people then present would authorize the committee to nominate eleven deputies to a provincial convention. On the first question the conservatives demanded a poll in order that the matter might be decided by freeholders and freemen according to the recommendation of Congress. This was refused, and the sense of the meeting was taken *en masse*. According to the radical account, both questions were carried by a very great majority. The conservatives, on the other hand, claimed that it was impossible to say whether the questions were carried or lost: consequently, even granting the propriety of the method of voting, it could not rightly be considered either that the county was in favor of a provincial convention, or, if it was, that any power of nomination had been conferred upon the committee.¹

Whether carried or not (probably a majority of those present were in favor of the committee), the framing of the questions was such as to make it impossible to settle them on their merits. The wording of the questions shows indeed that the Sixty had taken a full step in advance since issuing the first of March handbill. The committee had called the freeholders and freemen together to ask them what they considered the best method of electing delegates to Congress, and whether they were in favor of a provincial convention; now that they, together with others, were assembled, the committee really asked, not the freeholders and freemen, but the inhabitants generally, whether they would send delegates to a provincial convention, and whether they would authorize the committee to nominate *eleven* delegates to that convention. On the first of March two inconsistent questions had been presented together in such a way that the real issue had been whether New

¹ The official account of this meeting is in Broad-sides, I. Two other more detailed accounts have been preserved, one by a radical sympathizer, the other by a conservative. The only points in which they disagree have been noted in the text. 4 *American Archives*, II. 48, 49.

York County should join in a provincial convention or not. On the sixth of March two questions somewhat different, but equally inconsistent with each other, were presented together in such a way that the real issue was whether the committee's method of sending delegates to a provincial convention should be adopted or not. The first alternative had been a convention or no Congress; within six days the alternative had become eleven deputies nominated by the committee or no congress.

A little closer consideration of the two questions presented by the Sixty on March 6 will make this all but obvious. A negative vote on the first question was practically equivalent to opposing the second Continental Congress. Undoubtedly there were many men in favor of Congress but opposed to the convention as a method of electing delegates to the Congress — men who, nevertheless, if the convention was legitimately determined upon, were willing to send delegates to it rather than not take part in the Congress at all. These men wanted a chance to vote against the convention and in favor of some other method. Yet the man who voted negatively on the first question said not, "I am not in favor of the convention as a method of choosing delegates," but, "I am not willing that New York County should join the other counties in sending delegates to the convention, and consequently to the Congress": such a vote, practically, would not have the effect of replacing the convention as a method by some other method, but merely of keeping New York County out of the movement altogether. More incisively than ever and not altogether fairly, there was presented to the conservatives the alternative of supporting the convention or of seeming to refuse to support Congress — by a shrewd sort of political legerdemain it had come about that supporting or opposing the radical committee was apparently identical with the alternative of standing with the colonies or with the home government. The second question was equally treacherous. The convention once determined upon, many men not in favor of it in the first instance, but willing if delegates were to be sent to it that the committee should nominate them, were not willing that the ticket should consist of eleven members. Such men could not vote against nominating a ticket of eleven delegates without voting against allowing the committee to nominate the ticket at all.

With questions presented in this fashion, those of the old conservative faction who were facing away from loyalism were likely to prefer to support the radical committee rather than give the appearance of refusing to support Congress: they thereby took a long step in the direction of revolution. Those of the old conservative

faction who were facing away from revolution doubtless preferred to give the appearance of opposing Congress rather than place that body unreservedly in radical hands: they thereby took a long step in the direction of loyalism. The meeting on March 6 was thus another and an important stage in the disintegration of the old conservative party. Those who voted in favor of sending deputies to the convention, and in favor of permitting the committee to nominate a ticket of eleven members, whatever their motives may have been for so voting, found themselves in the company of men who voted in the same way precisely for the purpose of imparting to Congress a radical and revolutionary impetus. On the other hand, those who voted, for whatever reason, not to join with the counties in a provincial convention, and against the nomination of delegates by the committee, found themselves in the company of men who voted in the same way because they considered conventions and congresses illegal and treasonable.¹

The Sixty proceeded at once to nominate a ticket. Without any serious opposition apparently, the old delegates — Isaac Low, Philip Livingston, James Duane, John Alsop, and John Jay — were named, together with six others — Leonard Lisenard, Abram Walton, Francis Lewis, Isaac Roosevelt, Alexander MacDougall, and Abram Brasher.² Of the new men, none was conservative like Duane or Low, none, perhaps, moderately judicious like Jay, none timid like Alsop. Three of them at least — MacDougall, Lewis, Roosevelt — were men who would speak and act effectively and unhesitatingly for radical measures. If the Sixty could get this ticket elected, it might well assume that without opposing the old delegates it had succeeded in neutralizing their influence.

The conservatives still had a fighting chance, perhaps, if they chose to use it: they might secede from the Sixty, as the radicals had done from the Fifty-One, and nominate a ticket of their own. But the radicals left the Fifty-One only after there was no more to be gained by remaining in it, and the conservatives had still something to gain by retaining a representation on the Sixty — the limitation of the suffrage to freeholders and freemen. All that was

¹ The conservative party which marched from Montagnie's was charged with numbering among its supporters officers of the army and navy, customs officers, and loyalist members of the Assembly. 4 *American Archives*, II. 48. Among the broadsides published in opposition to the committee was one signed a "Citizen of New York," in which the main arguments were: (1) That the only legal representatives of the colony, the Assembly, had refused to appoint delegates; (2) that, whatever reason there may have been for the first Congress, there was no reason for a second; (3) that the convention would lead to the introduction of a provincial congress, which in turn would usurp the functions of the Assembly. *Ibid.*, 44.

² Broad-sides, I.

accomplished, consequently, in respect to a separate organization was an informal and vain effort at the election to vote for the five old delegates without voting for the six new ones. In respect to the limitation of the franchise, however, the conservative leaders were able to attain their end. March 8, in committee meeting John Jay moved that the election should be held on March 15 in the wards, under the supervision of the vestrymen and subcommittees of the Sixty, and that the votes of freeholders and freemen only should be received.¹ The radicals felt the more safe in granting this, perhaps, since they would be able, now that a popular meeting had decided the initial question of the expediency of sending delegates at all, to force upon the voters the alternative of voting for the committee's ticket as a whole, or not at all. On March 15 the election was held. Eight hundred and twenty-five freemen and freeholders were in favor of sending deputies, and voted for the committee's ticket; one hundred and sixty-three voted negatively on both points. Many, on the other hand, offered to vote for the old delegates only. They were refused. The ticket of eleven members nominated by the Sixty was accordingly declared duly elected.²

Thus having succeeded in getting the support of the city for its plan, the committee issued a circular to the counties on the following day.³ The question was referred to the counties in much the same way as it had been referred to the city. The counties were asked, first, to consider the advisability of a provincial convention; second, to send delegates to a convention which was to meet (the Sixty took the liberty of fixing the day) at New York, April 20. Practically it was quite as useless for any individual county to consider the first question as it was impossible for the conservatives in the city to get an opportunity of doing so: the practical question before each county was whether it would send delegates to the convention, which, it appeared, was to meet in any case; or whether it would take no part in the convention. A refusal on the part of any county to send deputies to the convention would have no other practical effect than to leave that county without influence or voice in the second Continental Congress. In each county, therefore, the fight, where there was a fight, was virtually between those who were in favor of the second Congress and those who were not — between those who were going the way of revolution and those who were going the way of loyalism. There was no place in the

¹ *Ibid.*

² 4 *American Archives*, II. 137, 138, 139; *New York Mercury*, March 20, 1775. The vote is given by wards in the *Mercury*.

³ Broad-sides, I.; 4 *American Archives*, II. 138.

counties any more than in the city for those who, without being loyalists, were not in favor of Congress, or for those who, without being hostile to Congress, were opposed to a provincial convention. The result, for the moment, was a rather marked increase in radical activity. Eight counties, aside from New York, sent deputies to the convention, though in three of them there was strong opposition; one, at least, definitely refused to be represented; three, so far as is known, took no action. In Albany County it was not primarily in response to the letter of the Sixty that delegates were elected. After the Albany committee had resolved, in December, 1774, to support the first Continental Congress, a new and more carefully organized county committee was established, which began to meet in January.¹ It was composed of deputies from the three wards of the city and from the precincts of the county. March 1, 1775, at a meeting of this committee the chairman produced a letter from the Albany members of the Assembly, which recommended that measures be taken for the election of delegates to Philadelphia. It was therefore resolved to request the subcommittees of the different districts in the county to assemble at Albany on March 21, "with full power to elect delegates."² Meanwhile the letter from New York reached Albany and gave a new direction to the activity of the committee. It is not known how this letter reached the various districts, but that it did reach them is evident from the fact that when the general committee met on March 21 all of the deputies had been authorized to elect delegates either to the Congress at Philadelphia or to the convention at New York.³ All of the committee except Henry Bogart were found to

¹ This new committee is commonly known as the Committee of Safety. The manuscript minutes of this committee, in two volumes, are preserved in the state library at Albany. The full title is "Minutes of the Proceedings of the Committee for the City and County of Albany, begun January 24, 1775." The two volumes cover the period from 1775 to 1778. Except at the beginning, the correspondence of the committee is omitted. At the beginning every page is numbered; near the close of the first volume the practice was introduced of numbering each leaf only; most of the second volume is not paged at all. For the privilege of examining these minutes I am indebted to the courtesy of Mr. J. F. A. Van Laer, keeper of the manuscripts at the New York State Library. For convenience the citation will be "Minutes of the Albany Committee."

² "A letter being produced by the chairman from Colls: Schuyler, Ten Broeck, and Livingston, members of the general Assembly, recommending the committee to appoint delegates to the intended Congress to be held at Philadelphia. . . . It was unanimously resolved that letters be wrote to the committee of the different districts of this county requesting their meeting at the House of Richard Cartwright the 21st day of this month, at two o'clock . . . with full power to appoint delegates." Minutes of the Albany Committee, I. 10.

³ "First the chairman put the question whether the members were fully authorized by their constituents to elect Delegates or Deputies to meet the Deputies from the other counties it appeared that they were unanimously empowered to appoint either."

be in favor of sending delegates to the convention; and a ticket of five members was unanimously chosen for that purpose.¹ In Kings County representatives of four townships met at the county hall April 15 and unanimously appointed five deputies to attend the convention. The township of Flatlands remained neutral, neither supporting nor opposing the measure.² In Orange County the four precincts of Cornwall, Goshen, Haverstraw, and Orangetown held separate meetings and named deputies.³ Of any opposition in these precincts, or of any action at all in others, there is no record. In Suffolk a county meeting was held at the county hall, April 6, and five delegates were chosen to represent the county.⁴ Ulster County chose delegates in the same way. On April 7 thirty-nine deputies, from ten towns, assembled at New Paltz. Three delegates were named.⁵ This action was approved by another town, Rochester, where a meeting was held on the same day. Opposition appears to have been confined to a letter signed by Cadwallader Colden, Jr., and Peter and Walter DuBois, protesting against the election as unlawful.⁶

In Dutchess, Queens, and Westchester there was strong opposition. Although Dutchess sent delegates in response to the New York letter, it is doubtful whether a majority of the inhabitants were in favor of doing so: it is certain that a majority of the precincts were not. The question was taken up first in the towns or precincts separately, although the meeting in Charlotte precinct is the only one of which a record has been preserved.⁷ Of the eleven precincts

Minutes of the Albany Committee, I. 12. The committee, at this meeting, consisted of fifteen members from the following districts: First Ward, 2; Second Ward, 1; Third Ward, 2; two districts of Rensselaerwyck, 2; Manor of Livingston, 1; Schaghtichick district, 2; Claverack, 1; Schoharie and Duanesburgh, 2; Nestegarie and Halfmoon, 1; Saratoga, 1. *Ibid.*, 12.

¹ "A motion was made by Walter Livingston whether Deputies shall be appointed to represent the City and County of Albany to meet the 20 day of April . . . at the city of New York. . . . Resolved, unanimously, that Deputies be appointed . . . Mr. Henry Bogart . . . dissented, he being for appointing delegates for the City and County of Albany to meet the intended congress at Philadelphia. Resolved by a majority that five persons be appointed. . . . Resolved unanimously that Abram Yates, Walter Livingston, Col. Schuyler, Colonel Ten Broeck and Col. Peter Livingston are appointed." *Ibid.*, 12.

² *Calendar of Historical Manuscripts*, I. 41.

³ *American Archives*, II. 275, 352, 353; *Calendar of Historical Manuscripts*, I. 2, 3.

⁴ *Ibid.*, I. 19.

⁵ George Clinton Manuscripts, I. 55; *Calendar of Historical Manuscripts*, I. 21, 22.

⁶ *Ibid.*, I. 22, 23; Schoonmacher, *Kingston*, 166.

⁷ The meeting was held April 7. The vote stood 140-35 in opposition to delegates. About 100 more appeared after the poll closed, and offered to vote for "constitutional liberty," but the advocates of the Congress "gave up the contest." *New York Mercury*, April 17, 1775; *American Archives*, II. 304.

in the county seven were opposed to sending delegates to the convention, four were in favor of doing so. The conservatives claimed that in the county as a whole there was a large majority opposed to the convention; the radicals claimed that there was a majority in favor of it.¹ On the strength of this claim a general meeting was held April 14, consisting of deputies from the four radical precincts, which named three delegates to represent the county.² Although it must be said, at the very least, that the wishes of Dutchess County were not ascertained in any satisfactory manner, the delegates were received by the convention. In Queens County the matter was taken up by the towns separately also. Three towns, Jamaica,³ Hempstead,⁴ and Oyster Bay,⁵ voted not to send delegates; two towns, Newtown⁶ and Flushing,⁷ appointed one delegate each. In Jamaica⁸ and Oyster Bay⁹ the radicals held subsequent meetings and appointed delegates to attend the convention as minority representatives. These four delegates (two representing two towns as such, two representing minorities in two other towns) attended the convention, but that body decided that Queens County was not entitled to vote on the measures which came before it. In Westchester careful management on the part of the radicals was all but necessary to get the county represented. The New York letter appears to have been communicated—it is not clear just how¹⁰—to twelve gentlemen residing in four towns¹¹ in the southern part of the county. These twelve gentlemen met at White Plains,

¹ *Ibid.*, 304, 305.

² *Calendar of Historical Manuscripts*, I. 41. The four precincts were Rheinbeck, North East, Armenia, and Rumbout. Poughkeepsie was one of the seven opposed to the convention. It seems not unlikely that Dutchess was far from having a majority in favor of the convention.

³ By vote of 94-82. *New York Mercury*, April 3, 1775; *Rivington's Gazetteer*, April 6, 1775; 4 *American Archives*, II. 251, 838, 839.

⁴ By resolution in town meeting. *Rivington's Gazetteer*, April 6, 1775; *Calendar of Historical Manuscripts*, I. 38, 39; 4 *American Archives*, II. 273.

⁵ By resolution in town meeting; vote, 205-42. Onderdonck, *Documents and Letters . . . of Queens County*, 26.

⁶ By a popular meeting of freeholders. It is said that 100 freeholders, a majority of all the freeholders in the town, were present. Jacob Blackwell was elected unanimously. 4 *American Archives*, II. 356; Onderdonck, *Documents and Letters . . . of Queens County*, 23; Ricker, *Newtown*, 179.

⁷ John Talman, elected by "great majority" in town meeting. 4 *American Archives*, II. 356; Onderdonck, *Documents and Letters*, 25.

⁸ Joseph Robinson. 4 *American Archives*, II. 356.

⁹ Zebulon Williams (formerly Seaman) was given "full power and authority to act" in behalf of forty-two freeholders. *Calendar of Historical Manuscripts*, I. 39, 40.

¹⁰ According to Dawson, there was no "vestage" of the old committee left in Westchester, to which the letter might be sent. He thinks the letter was sent to Lewis Morris and communicated by him to the twelve men. Dawson, *Westchester County*, 65, 66.

¹¹ Theodosius Bartow, James Willis, Abram Guion, of New Rochelle; William Sutton, of Mamaronec; Lewis Morris, Thomas Hunt, Abram Leggett, of Westchester; James Horton, of Rye.

March 28, in order to devise means for "taking the sense of the county" on the subject of the convention. For this purpose a circular letter was issued by them and sent to the different districts, calling a general meeting of the freeholders and freemen at White Plains, April 11. As it was well known that the initiators of this movement were radicals, a letter was circulated by the conservatives, dated New York, April 6, urging all who were opposed to conventions and congresses and in favor of the Assembly's measures to assemble at the time and place appointed for the radical meeting.¹ On April 11, accordingly, some two hundred and fifty persons met at White Plains, the two parties establishing their headquarters at different taverns in the town. About 12 o'clock the radicals assembled at the court-house and were proceeding to the business of the day when the other party, led by Isaac Wilkins and Colonel Philips, marched in from Hatfield's tavern. Either from principle or from a consciousness of inferior numbers, they made no attempt to decide the question by ballot. Isaac Wilkins, speaking for the party, stated that they wished to have nothing to do with congresses or deputies, that their sole purpose was to protest against "such illegal and unconstitutional proceedings." Giving three cheers, the party returned to Captain Hatfield's, "singing as they went the grand and animating song of God save great George, our King." Here, certainly, conservatism was hardly to be distinguished from loyalism. Without further opposition the radicals at the court-house proceeded to appoint eight delegates to the convention. As usual, each party claimed a majority.² The one county which definitely refused to send delegates was Richmond;³ those which apparently took no action were Charlotte, Cumberland, Tryon, and Gloucester.

The provincial convention assembled at New York on April 20.⁴ Credentials of election were presented by delegates from New York, Albany, Ulster, Orange, Westchester, Kings, Suffolk, Queens, and Dutchess. The delegates from Queens were debarred from voting;⁵ but, even with this exception, a majority of the counties in the

¹ 4 *American Archives*, II. 282; Dawson, *Westchester County*, 67.

² The principal source for the meetings of March 28 and April 11 is the published statement made by Lewis Morris, who was chairman of the meeting of April 11. 4 *American Archives*, II. 314; *Calendar of Historical Manuscripts*, I. 20, 21; *New York Mercury*, April 17, 1775; *Rivington's Gazetteer*, April 20, 1775; Bolton, *Westchester County*, II. 349; Dawson, *Westchester County*, 67. The statement of Morris should be checked by the conservative account of the meeting of April 11, in *New York Mercury*, April 17, 1775; 4 *American Archives*, II. 321. Cf. second statement of Morris, May 7, *Ibid.*, 323.

³ Meeting of April 11 opposed convention almost unanimously. *Ibid.*, 313.

⁴ Minutes preserved complete. *Ibid.*, 351-358.

⁵ "That the gentlemen from Queens County, viz., John Talman, Joseph Robinson, Zebulon Williams, and Col. Jacob Blackwell, be allowed to be present at its deliberations

province were represented. On the following day the old delegates,¹ with the exception of Isaac Low and John Herring,² together with five others—Peter Schuyler, George Clinton, Lewis Morris, R. R. Livingston, and Francis Lewis—were elected to represent New York province in the second Continental Congress. Of this delegation the city's members were no longer a majority. One of the most conservative of the old city delegates, Isaac Low, had been replaced by an avowed radical, Francis Lewis. The conservative programme—the attempt to steer a clear course between absolute revolution on the one hand and submissive loyalism on the other—had broken down, and the disintegration of the conservative faction was practically complete: loyalists and revolutionists stood face to face.

CARL BECKER.

and will take into consideration any advice they may offer, but cannot allow them a vote; with which those gentlemen declare themselves satisfied." 4 *American Archives*, II. 356; Onderdonck, *Documents and Letters*, 22.

¹ Isaac Low, James Duane, Philip Livingston, John Jay, and John Alsop, of New York city; Henry Wisner and John Herring, of Orange; William Floyd, of Suffolk; Simon Boerum, of Kings.

² Herring gave satisfactory reasons for declining an election. Low was chairman of the Committee of Sixty, but he was not in sympathy with the radical policy of the committee. He was nominated, nevertheless, as one of the eleven deputies to the provincial convention. Before the election came off he announced that he would not attend the convention if elected. He was elected but did not attend. As the convention was limited to its own members in the choice of delegates to Congress, the secretary visited Low and asked him if he considered himself a member of the convention. He replied that he did not. 4 *American Archives*, II. 355, 357.

DOCUMENTS

I. Correspondence of the Comte de Moustier with the Comte de Montmorin, 1787-1789

(Second Instalment.)

VIII. MOUSTIER TO MONTMORIN.

(Archives des Affaires Étrangères, États-Unis, 1788, Tome
33, folios 238 ff.)

N^o 18.

A NEWYORK, le 2. Août 1788
rec. le 26. septembre

Monseigneur.

Accession de l'Etat de
New York à la nouvelle
Constitution qui se trouve
adoptée par onze Etats.

Reflexions sur les suites
qu'opérera cette nouvelle
Constitution.

L'Etat de Newyork a enfin accédé le 25. du mois d^{er} à la nouvelle Constitution, qui se trouve adoptée par onze Etats. Les modifications recommandées sont si nombreuses et si importantes, que si le nouveau Congrès y a égard, cette Constitution conservera à peine l'apparence de sa première forme. Cependant on a porté un grand coup à la souveraineté particulière des Etats pris séparément. Le phantome de Démocratie qui avoit séduit le peuple est au moment de disparaître. La majorité crédule enivrée des plus belles espérances, dont elle s'est laissé repaître, a forgé elle-même les liens, par lesquels tôt ou tard les Chefs du peuple parviendront à l'assujettir et à le gouverner après avoir paru vouloir lui obéir. La Constitution est prise à l'essai jusqu'à ce qu'on en trouve une meilleure. Cette disposition à toujours perfectionner est infiniment favorable aux vues des ambitieux, qui parviendront à force de changemens à lasser le peuple Américain et à lui faire recevoir par nonchalance le joug qu'on lui prépare et qu'il supportera probablement beaucoup plus patiemment qu'on ne le pense. Les modifications proposées offrent d'emblée une foule de prétextes même pour une refonte de Gouvernement. Cette voie est ouverte aux divers partis. Il n'est pas douteux qu'ils n'en profitent chacun selon leurs vues.¹

¹ Three years later, when Moustier represented France at the court of Berlin, he published a pamphlet entitled *De l'Intérêt de la France à une Constitution Monarchique*. In it he makes the following remarks on the American Constitution: "La nécessité d'une constitution a été sentie par les hommes sages et les vraies politiques des Etats Américains. En dignes imitateurs de Solon, ils en ont rédigé une qui, si elle n'est pas la meil-

fêtes données à cette occasion, par les Corps et métiers, et auxquelles le Congrès a assisté, ainsi que les Ministres Étrangers.

La nouvelle Constitution a paru un remède à tous les maux dont gémissent les États-Unis. La joie de la majorité s'est exprimée particulièrement par des réjouissances publiques. Différentes villes ont fait des processions où toutes les classes de Citoyens ont figuré. Celle de Newyork n'a même pas attendu que la Convention de l'État auquel elle appartient eut prononcé. Elle a fait sa procession dans un moment où l'on doutoit fort que l'État adoptât la Constitution. Ce qu'il y a eû de particulier à cette fête populaire c'est que le Congrès ait hasardé d'en sanctionner en quelque sorte l'objet, qui étoit de manifester l'opinion particulière de la ville en opposition avec celle qu'on supposoit à l'État, en assistant en corps et par conséquent comme souverain à un repas assés médiocre donné par les corps et métiers de la ville. J'avois été invité et j'ai assisté à ce repas à la droite du Congrès et ayant à la mienne de suite le Ministre Plénip^{re} des États Généraux, le Chargé d'affaires Plénip^{re} d'Espagne, les Consuls et autres étrangers de distinction. A la gauche du Congrès étoient ses officiers et les Membres du Clergé de la Ville, Anglicans, Presbytériens, Catholiques, Luthériens, Calvinistes, Juifs, tous indistinctement, excepté que l'Evêque Anglican avoit pris la droite de tous les autres et avoit dit le *bénédicite*. Le Congrès s'étant aperçu lui-même qu'il étoit déplacé dans cette fête comme faisant corps à voulu soutenir ensuite qu'il n'y avoit point été comme Congrès, mais j'ai insisté partie en riant, partie sérieusement avec les différens Membres que telle avoit été l'opinion de tout le monde, que sans cela ils auroient dû être épars parmi les convives et que j'aurois dû être à la droite du Président. Au reste tout ce cérémonial peut être regardé comme sans conséquence, quoiqu'on cherche à en mettre partout, il n'est encore réglé sur rien ; mais c'est une maladie de ce pays apportée de la Mère-patrie, où l'on forme des prétentions de ce genre à chaque instant. Il faut espérer que cet inconvénient disparaîtra insensiblement.

Un des objets de la fête des Citadins de Newyork étoit de cajoler le Congrès et de l'engager à ajourner ici le nouveau corps souverain. Le Congrès de son côté a paru vouloir

leur qu'on pût leur donner, est la meilleure qu'ils pussent recevoir, en égard à toutes les circonstances. Ils ont eû même le ménagement de conserver le nom de Confédération, tandis qu'ils opéraient une consolidation. . . . Ils ont eû cet égard pour la faiblesse d'un peuple ombrageux et qui n'étoit pas assez généralement éclairé sur les avantages de mettre des bornes à la liberté naturelle pour mieux la garantir. Enfin la constitution Américaine a fait de l'agrégation des tous les États Américains une véritable Monarchie sous le titre d'une union qui chaque jour développera davantage les traits encore faiblement prononcé d'une organization monarchique." Note b, pp. 97-100.

remettre sa décision à cet égard au moment où la Convention auroit adopté la Constitution. Quelques uns de ses Membres n'ont pas négligé d'insinuer que cette incertitude étoit le seul obstacle qui empêchoit le Congrès d'ajourner le nouveau ici. Ce leurre a eu son effet. Les Fédéralistes de la Convention ont même été jusqu'à avancer qu'il n'y auroit aucune difficulté dès que l'Etat de Newyork seroit entré dans la nouvelle union. Aujourd'hui que la feinte n'est plus nécessaire les Pennsylvaniens mettent tout en jeu pour obtenir la préférence en faveur de Philadelphie. La semaine entière a été employée en débats sur ce sujet, dans lequel il paroît que l'intérêt personnel a bien plus de part que l'intérêt public.

question agitée sur le lieu et le tems où sera ajourné le Congrès.

La question de l'ajournement pour le lieu et le tems auxquels il convient de le fixer a excité l'attention de tous les Etats et en conséquence il se trouve ici des Délégués de chacun d'eux ; ils se disperseront vraisemblablement dès que ces deux objets seront décidés. Les Délégués de Rhodeisland se contentent d'assister aux délibérations sans prononcer sur une question qui peut-être regardée comme étrangère à leur Etat puisqu'il a rejeté la nouvelle Constitution.

tableau de la nouvelle Constitution dont M. de Moustier fera l'envoi, dès que l'opinion de la Nord Caroline sera connue.

Dès que l'opinion de la Nord Caroline sera connue, j'aurai l'honneur de vous présenter, Monseigneur, dans un même ensemble la Constitution telle qu'elle a été proposée par la Convention générale avec le rapprochement des différentes modifications proposées par les Conventions particulières. Je séparerai cet exposé des observations que je me propose d'avoir l'honneur de vous soumettre sur l'influence de la Constitution sur la politique extérieure des Etats-Unis et sur les probabilités du système qui pourra prévaloir à cet égard.

On a eu ici un exemple de ce qu'on doit attendre du parti dominant dans les changemens de Gouvernement malgré le beau nom de liberté qui se trouve bien rarement répondre aux faits. Un malheureux Imprimeur qui s'est mis le dernier à fabriquer une gazette dans une ville où il y en a beaucoup trop, avoit imaginé pour donner de la vogue à sa feuille de recueillir les petits propos et les petits faits contraires au parti fédéraliste. Une mauvaise plaisanterie sur un accident arrivé à la procession fédérale a été punie par la destruction de son imprimerie et des insultes personnelles l'ont obligé à fuir sa maison et à l'abandonner aux champions de la liberté, qui en font souvent un terrible usage contre les plus foibles, lorsque ceux-ci ont l'imprudence d'user sans précaution de celle qu'ils croient avoir de leur côté.

Jé suis avec respect

etc.

LE C^{te} DE MOUSTIER.

IX. MOUSTIER TO MONTMORIN.

(Archives des Affaires Étrangères, États-Unis, 1788, Tome 33, folios 332 ff.)

N° 26.

A NEWYORK le 18. Novembre 1788

rec. le 11 fév. 1789

Monseigneur.

regrets de M. de Moustier sur l'interruption des Paquebots, surtout dans la circonstance du changement de la constitution américaine.

L'interruption des Paquebots m'a privé entièrement jusqu'à présent de l'avantage de recevoir quelque réponse aux différentes Dépêches que j'ai eu l'honneur de vous adresser. J'en ai d'autant plus de regret que depuis mon arrivée sur ce Continent j'ai vu consommer une révolution dans le Gouvernement des Etats-Unis, qui change entièrement les rapports sous lesquels on a pu les envisager jusqu'à présent.

Mémoires préparés par M. de Moustier sur la manière d'envisager la nouvelle constitution. mémoire rédigé par M. de Moustier qui renferme un plan sur la manière de rendre utile au Roi la nouvelle constitution américaine.

J'ai préparé en conséquence des Mémoires¹ pour vous exposer les différents points de vues sous lesquels on peut envisager les effets du nouveau Gouvernement Américain ; mais d'une part ils sont un peu trop étendus, pour pouvoir être transcrits en chiffre et d'une autre je ne puis trouver une occasion sûre, pour vous les faire parvenir. J'attends toujours avec confiance, Monseigneur, que vous m'en fournissiez une vous-même. J'ose même me flatter qu'avant la réception de mes mémoires dont l'un renferme un plan général de conduite envers les Américains unis, vous m'aurez vous-même prescrit en partie d'adopter la marche que je crois la plus propre à rendre utile au Roi, une révolution, dont il a recueilli tant de gloire.

Importance du moment actuel pour profiter des avantages que nous offre la nouvelle constitution.

Le moment actuel est critique ; il nous est favorable, mais il seroit possible qu'un trop long délai nous fit perdre une occasion, qui ne se retrouveroit peut-être plus avec les mêmes avantages. Je dois penser que l'Angleterre qui a traité depuis la paix des Etats-Unis avec un dédain, fondé sur leur situation réelle, plutôt que sur celle dont on auroit pu les croire susceptibles, changera de conduite envers eux, dès qu'Elle aura reconnu la stabilité et la régularité de l'administration, dont la nouvelle constitution les rend susceptibles.

propos du Général Washington sur les moyens qu'a le Roi de faire que les Etats-Unis trouvaient leur intérêt dans leurs liaisons avec S. M.

J'ai lieu de me louer des dispositions que j'ai trouvées dans plusieurs des principaux personnages influents sur ce Pays-ci. J'ai été parfaitement satisfait en particulier du Général Washington, avec qui j'ai passé plusieurs jours. Le résultat de ses conversations a été en propres termes "que très certainement on étoit encore animé dans les Etats-Unis "d'une vive et sincère reconnaissance envers le Roi et la

¹ The titles of these *mémoires* were : I. "Aux Conséquences probables de l'établissement du nouveau Gouvernement quant à l'administration intérieure des Etats-Unis" ; II. "Des rapports du nouveau Gouvernement des Etats-Unis avec les Puissances étrangères."

“nation françoise ; mais que néanmoins l'intérêt se
 “voit fixer les liaisons entre nations ; qu'il étoit très ais
 “reconnoître qu'il ne tenoit qu'à Sa Majesté de faire en sort
 “que les Etats-Unis trouvassent leur intérêt à être étroite-
 “ment unis avec Elle.”

Le G^l Wasington sera
 Président des Etats-Unis,
 si cela lui convient, im-
 portance de son pouvoir
 en cette qualité.

Cette conclusion est d'autant plus remarquable, que le
 G^e Wasington sera président des Etats-Unis, si cela lui con-
 vient, et que son pouvoir et son influence en cette qualité
 sont de la plus grande importance selon la nouvelle Constitu-
 tion. J'ai taché dans toutes les occasions, sans me compro-
 mettre de faire penser que si jusqu' à présent nos liaisons avec
 les Américains n'ont pas été plus étroites, la faute n'en doit
 être attribuée qu'à leur constitution vicieuse, et que la révo-
 lution qu'Elle vient d'éprouver a toujours été désirée par S.
 M. et son Conseil. Ce langage me paroît utile et même
 nécessaire, en pensant que l'événement est en quelque sorte
 consommé, et qu'il ne s'agit plus que d'en tirer le meilleur
 parti. C'est au mois de Mars que le nouveau Congrès doit
 s'assembler ; l'époque est prochaine. S'il vous paroît néces-
 saire, Monseigneur, que je reçoive des instructions conformes
 à un ordre de choses qui ne subsistoit pas à mon départ du
 Royaume, je pense que dans le cas où les paquebots, pour
 communiquer avec les Etats-Unis, ne seroient pas encore
 rétablis, vous pourriez néanmoins me les faire parvenir par
 un avis.

C'est au mois de Mars
 que le Congrès doit s'as-
 sembler.

Instructions que de-
 mande M. de Moustier
 relativement au nouvel
 ordre de choses qui va
 s'établir.

diminution du Com-
 merce de l'Ang^{te} en
 Amérique.

réflexions sur les
 moyens de faire fructifier
 le commerce de France
 en Amérique.

grande utilité qu'il y
 auroit à rétablir les paque-
 bots, en faveur du com-
 merce.

On regrette particulièrement l'interruption des paquebots
 dans des circonstances, qui sembloient favoriser des spécula-
 tions plus sûres et plus régulières entre les deux nations. Le
 Commerce d'Angleterre diminue un peu. Quelques manu-
 factures américaines fournissent des objets communs qu'on
 tiroit auparavant de la Grande Bretagne. Le peu d'articles
 qu'on commençoit à importer de France avoit un débit
 assuré. Mais ce n'est en quelque sorte qu'en tâtonnant que
 les Commerçans François et Américains reprennent un Com-
 merce qui a été entrepris d'abord avec une hardiesse que rien
 n'autorisait et qui provenoit de la présomption plutôt que de
 la connoissance réelle que les deux nations avoient de leurs
 ressources et de leurs moyens. Ces premiers essais doivent
 être encouragés ; ils sont les germes d'un commerce qui con-
 duit sagement et graduellement peut offrir d'autant plus
 d'avantages qu'ils sont réciproques. Pour les favoriser il faut
 assurer aux deux nations des voyes de correspondance. Si le
 Commerce avoit acquis toute l'étendue dont il est susceptible
 il entretiendrait lui-même ces voyes, mais il n'est que naissant
 et à peine dans l'enfance ; si le Roi ne vient pas à son secours
 cette enfance sera longue. Je ne puis m'empêcher de croire
 quel' établissement des Paquebots *pour les Etats-Unis* est cer-

tainement considéré comme utile et que la dépense qu'il peut occasionner n'est qu'une très légère avance faite pour ouvrir des canaux qui la feront rentrer au Centuple. Plusieurs négocians accoutumés à donner et à recevoir des commissions par cette voye ont été pris au dépourvû et ont souffert d'une interruption qui a eu lieu avant qu'ils en aient pû être avertis, tandis que beaucoup de leurs spéculations ont manqué par cet événement. Quelques uns même sont obligés d'aller en France par la voie de l'Angleterre pour régler leurs affaires. Aujourd'hui il se répand que le Royaume a besoin de grains par une suite de la grêle qui a détruit une partie des récoltes, que la guerre entre les Puissances du Nord de l'Europe prive de la ressource des grains de Pologne, que la côte de Barbarie n'en peut point fournir cette année et que par conséquent les Etats-Unis pourroient subvenir dans cette circonstance au besoin du Royaume. On pense que cet événement seroit infiniment favorable pour étendre le Commerce entre les deux Nations puisque les Américains auroient des moyens de payer en denrées la valeur d'une grande quantité de marchandises de France, auxquelles aujourd'hui faute de capitaux et de crédit ils sont obligés de renoncer. Cependant malgré ces apparences flatteuses les Américains aiment mieux se borner à leurs opérations circonscrites dont ils connoissent d'avance le résultat que de se livrer à celles qu'ils ne peuvent calculer avec précision faute d'informations assés sûres et assépromptes. Je me suis un peu étendu, Monseigneur, sur une partie des effets de l'interruption des paquebots, parceque dans la situation où je me trouve, je suis plus à portée que personne de les apercevoir et que je suis persuadé qu'il suffit de les indiquer pour engager le Conseil du Roi à opiner pour la conservation d'un établissement très avantageux quoiqu'aussi peu coûteux que peut l'être celui des paquebots selon le plan que j'ai adressé au secrétaire d'Etat de la Marine au commencement de cette année.

les Etats-Unis auroient pu subvenir cette année au besoin que nous avons de nous procurer du blé.

Inconvénients qui résultent de l'interruption des paquebots.

Les onze Etats qui ont adopté la nouvelle Constitution s'occupent du choix des sénateurs et représentants au nouveau Congrès.

différence qu'il y aura entre les pouvoirs du nouveau Congrès avec ceux de l'Ancien.

Les onze Etats, qui ont adopté la nouvelle Constitution sont occupés actuellement du choix des sénateurs et des représentans qui doivent siéger au nouveau Congrès ainsi que des Electeurs qui doivent élire le Président et le vice-Président des Etats-Unis. Quelques sénateurs sont déjà nommés; on présume quels pourront être les autres et l'on en augure très favorablement. Il paroît qu'à aucune époque les intérêts du peuple Américain n'auront été confiés à des hommes plus distingués par leurs lumières, leur zèle, et leur talens. Il n'y aura de rapport entre l'ancien et le nouveau Congrès que dans le mot employé pour désigner le corps chargé de la puissance publique. Le nouveau l'aura de fait et pourra jouir de la considération attachée aux hommes qui en sont revêtus.

L'ancien ne possédoit que l'ombre de l'autorité souveraine, qui avoit acquis quelque consistance dans un tems de crise et qui avoit paru dans sa vraie forme dès que le danger avoit disparu. Il étoit tems pour la dignité et les intérêts des Etats-Unis qu'un corps réduit presque à l'avilissement plus encore par défaut de force que par manque de sagesse fut remplacé par un Congrès qui réunit l'un et l'autre. Aussi les Candidats qui aspirent à l'un sont ils fort différens de ceux qui composoient l'autre en général. Dans le moment actuel, quoique chaque Etat ait nommé les Membres qui doivent composer le Congrès pour le tems qu'il a encore, non pas à agir, mais à figurer, il ne se trouve que trois Délégués en tout dans cette ville. L'année fédérale étant expirée au premier Lundi de ce mois il n'y a plus de Président du Congrès et comme il faut sept délégations complètes pour en élire un, peut-être n'y procédera-t-on qu'au moment de la transmutation du Gouvernement. Les Officiers du Congrès sont également dispersés, de sorte qu'il subsiste une espèce d'inter règne dans la Confédération Américaine de même que depuis longtemps elle a été dans une sorte d'anarchie sourde, qu'on peut comparer à une fièvre lente. Mais si les hommes publics ne s'occupent pas des affaires dans ce moment, on ne sauroit douter que les particuliers ne soient fort actifs dans toutes les démarches qui peuvent leur donner quelque importance ou leur procurer quelque avantage sous le nouveau Gouvernement.

Je suis avec respect

Monseigneur,

Votre très humble et très obéissant serviteur

LE C^{te} DE MOUSTIER.

X. MOUSTIER TO MONTMORIN.

(Archives des Affaires Étrangères, États-Unis, 1789, Tome 34, folios 34 ff.)

N^o 8.

A NEWYORK le 20 Mars 1789.

rec. le 29 Juin.¹

Monseigneur.

expiration de l'ancien Congrès. remarque sur la manière dont il s'étoit formé.

Une nouvelle époque dans l'histoire de l'Amérique unie est marquée actuellement par l'expiration du Congrès composé d'abord des Délégués de treize Colonies de la Grande Bretagne, qui s'étoient unis pour consulter sur les moyens d'obtenir le redressement de leurs griefs contre la Mère patrie, qui ensuite se sont confédérées pour agir et enfin se

¹ Under the same date and enclosed with this despatch there is the copy of an article which Moustier had prepared for publication in the *Gazette de France*. Among other things this article says: "On peut donc dire que depuis le mois de Nov^{bre} dernier les Etats-Unis n'ont pas eu de

sont déclarées Etats libres et indépendans. Dans ces différens degrés de pouvoirs le Congrès n'en a jamais joui d'aucun bien réel. La crainte dans les premiers tems réunissoit les esprits, toujours portés dans les momens de crise et de souffrance à obéir à la voix qui les guide, la déférence apparente d'un Général que sa prudence et son bonheur rendoient le premier homme du peuple qu'il défendoit, les égards témoignés par les étrangers contribuoient également à donner une grande considération au Congrès.

L'éloignement du danger, l'inutilité du Sauveur de la patrie, la présomption qu'on n'avoit plus aucun besoin de secours étrangers a réduit le Congrès à l'exercice véritable de ses fonctions qui consistoient à délibérer sans avoir aucun moyen de coërcion. Tout aboutissoit à des résolutions, et des recommandations, dont l'exécution dépendoit des gens, dont les intérêts particuliers étoient absolument en opposition avec les intérêts publics. Aussi quoique la plupart des résolutions et des recommandations du Congrès fussent dictées par la sagesse et assés généralement par l'honneur elles sont presque toujours restées sans effet. Son impuissance ayant été sentie, quelques hommes sages ont cherché à y remédier de bonheur en attribuant au Congrès l'exercice réel de certains pouvoirs. Cette première idée à bientôt été étendue jusqu'à une réformation totale à laquelle ont concouru également des hommes bien intentionnés et d'autres qui ont vu que dans un si grand changement ils trouveroient une voie ouverte à leur ambition. Dans le passage d'une idée à l'autre et durant le tems employé à la réformation du Gouvernement fédéral, le Congrès étoit tombé graduellement dans une sorte de mépris, qui rendoit les gens les plus considérables presque honteux d'y entrer. Beaucoup d'autres dont les occupations étoient lucratives refusoient de remplir des places, où il n'y avoit ni honneur ni profit à acquérir. Un très petit nombre de gens de mérite se sont trouvés dans ce corps pendant ces dernières années. La majorité des membres qui le composoit étoient des oisifs sans état, sans occupations et sans talens ou de jeunes gens à peine sortis du collège. La petite rétribution qui leur étoit accordée et le titre d'*honorable* attaché au caractère de Délégué subvenoit aux besoins des uns et flattoit la vanité des autres. Le Con-

Classe des gens qui composent la majorité des Membres du Congrès.

Gouvernement général et que cette machine a besoin d'être entièrement remontée. Les admirateurs outrés de la république Américaine pourront se convaincre à présent de la grande distance qu'il y a d'une théorie brillante à une pratique heureuse, et que pendant qu'ils s'extéroient en Europe à prouver l'excellence de la constitution des Etats Unis, cet edifice tombait déjà en ruine et étoit détruit par ceux mêmes qui l'avoient élevé au prix de leur sang et de leur fortune. *Ibid.*, folios 43-44.

grès conservoit l'ombre de l'autorité équivoque, dont il avoit joui et paroissoit de loin encore comme un phantome de Souveraineté. Mais il étoit tems qu'il fut remplacé puisqu'il n'avoit pû être réformé. L'union Américaine alloit cesser s'il ne se fut élevé un nouveau centre plus capable de consolider toutes les parties qui devoient s'y réunir.

observation sur la manière dont auroit dû se conduire le Congrès en cessant d'exister.

Il semble que l'ancien Congrès avant de cesser d'exister auroit dû chercher à donner quelques signes de vie qui eut laissé un souvenir honorable de ses dernières actions. Il auroit pû recueillir tous les renseignemens propres à faciliter les premières opérations d'un corps constitué pour agir, il auroit pû préparer les expéditions des affaires depuis longtems restées sans exécution, il auroit pû enfin puisque ses prétentions étoient de figurer comme un corps revêtu de la Souveraineté, faire des dispositions qui eussent donné à sa fin une apparence de transmutation, au lieu d'une extinction qui a caractérisé la nullité et la foiblesse en quelque sorte honteuse d'un corps impuissant. Quelques membres du petit nombre de ceux, qui avoient quelque idée de patriotisme ont eu le désir de faire un acte de décence et d'utilité, mais le plus grand nombre, celui des insoucians et des incapables étoit dispersé, de sorte que le Congrès n'a même pas pû se former et qu'il a cessé d'être sans avoir même existé depuis le renouvellement de l'ancienne année fédérale qui commençoit en Novembre.

Prétentions de quelques membres de l'ancien Congrès.

On est surpris après cette espèce d'existence de voir les membres qui se trouvent encore ici en petit nombre prétendre composer encore un Corps et s'efforcer de réunir quelques uns de leurs confrères pour former un Congrès selon l'ancienne constitution fédérale, tandis que d'un autre côté les membres du nouveau Congrès se sont assemblés régulièrement depuis le jour, auquel le nouveau gouvernement fixe sa naissance. Il se trouve de cette manière deux soleils à la fois sur le Continent Américain. L'un n'a plus ni chaleur, ni éclat, l'autre est à peine sur l'horison, il faut le voir s'élever pour le juger. Il n'est pas trop certain qu'il ne soit pas offusqué par quelques nuages avant de parvenir à l'élévation vers laquelle il tend. Ces nuages pourront renfermer et développer plus d'un orage.

C'est une petite tache pour un Gouvernement annoncé comme plus actif et plus énergique que celui auquel il succède de se trouver à sa naissance dans un état de nullité ; car tout ce que peuvent faire les membres actuels, c'est de se rassembler tous les jours pour s'ajourner. Leurs conversations ne sont d'aucun poids, elles ne peuvent aboutir à aucune résolution légale, tant qu'ils ne formeront pas un nombre compétent, ce qui s'appelle un *quorum* dans chaque Chambre. Le quorum du Sénat doit être de 12., ce qui fait une voix de plus que la

moitié du complet. Celui de la chambre des représentans du peuple doit être de 30 sur 59 qui font le nombre complet pour les onze Etats-Unis.

Le retard de plusieurs membres du nouveau Congrès empêche de s'occuper des affaires majeures—cause de ce retard.

Il paroît qu'on n'est pas encore d'accord quelles affaires les deux Chambres pourront traiter avant que le Congrès se trouve entièrement formé par la déclaration de l'élection du Président des Etats-Unis qui forme la troisième branche de ce corps, sous sa nouvelle forme. Mais cette déclaration est précisément de leur compétence actuelle puisqu'il est stipulé par la nouvelle Constitution que les billets d'élection qui ont été envoyés cachetés par les Electeurs à l'ancien Congrès et qui sont actuellement sous la garde du secrétaire de ce Corps doivent être ouverts par le Sénat en présence des représentans. Le retard des membres, qui auroient pu être déjà arrivés a empêché jusqu'à présent de procéder à une opération aussi importante. On voudroit faire croire que les mauvais chemins sont la cause de ce retard, mais le grand nombre ne se prête pas à cette excuse, d'autant que l'Etat de Jersey et celui de Delaware sont si près de cette résidence fédérale qu'il n'y a aucun prétexte plausible à alléguer pour justifier l'absence des membres de ces deux Etats. Le fait est que les gens qui composent le nouveau Congrès quoique généralement beaucoup mieux choisis que ceux de l'ancien se ressentent de l'indifférence générale pour la chose publique dès qu'il s'agit d'y mettre du sien. Quand personne en particulier ne peut être chargé de la honte publique, il arrive souvent que l'honneur et l'utilité publics sont compromis. Les Etats-Unis en ont fait l'expérience. Il est à désirer que le nouveau Gouvernement puisse remédier aux anciens abus qui ont avilé le Congrès.

Tous les membres du nouveau Congrès ne sont pas encore nommés: pourquoi.

La négligence qu'ont mise plusieurs Etats à procéder aux élections des nouveaux membres soit en s'y prenant trop tard, soit en ne s'occupant pas d'écarter les difficultés, qui pouvoient être prévues, est cause que tous les membres du nouveau Congrès ne sont même pas encore nommés. L'état de New-york n'a point de sénateurs; sa Législature divisée par l'esprit de parti et à qui il appartenait d'y pourvoir en déterminant le mode de l'élection s'est séparé sans avoir rien statué. Le Congrès y pourvoira et ce sera le premier acte de suprématie qu'il exercera sur un Etat individuel et précisément sur un de ceux qui a montré le plus d'éloignement à investir le Congrès d'une autorité qui, si elle se maintient, doit nécessairement affaiblir celle des Etats particuliers. Les représentans seront élus parce que le mode de l'Election est déterminé par la Constitution fédérale, mais on ne connoitra les résultats des élections qu'à la fin de ce mois. Le Jersey et le Massachussets même sont incomplets. La Georgie est si éloignée qu'on n'est même pas exactement informé des progrès des élections.

Tant de négligence n'annonce pas un concours unanime aux mesures dont on a espéré la régénération de la prospérité publique. Il est difficile de juger comment un corps, dont les membres n'ont pas le même esprit parviendra à effectuer le bien que l'accord le plus parfait dans le Congrès ne pourroit procurer qu'avec le plus grand bonheur.

observation sur l'ancien
et le nouveau Congrès.

J'ai crû devoir vous faire connoître, Monseigneur, la fin d'un corps qui a joui par un concours singulier de circonstances et à la faveur de son grand éloignement de la partie de la terre qui seule s'occupoit avant la révolution Américaine de la voix de la renommée d'une réputation et d'une admiration, auxquelles il a bien mal répondu. Le début du corps qui le remplace ne m'a pas paru moins intéressant à constater. Si ce Colosse enfant s'élève, se fortifie et se maintient on reviendra avec intérêt sur ses commencemens. Si les vastes espérances des Américains ne sont point réalisées, ils ne recueilleront point le tribut général d'admiration qu'ils se donnent déjà à eux-mêmes et que d'après les événemens antérieurs et le sort de leur premier Gouvernement tant exalté on est très fondé à tenir encore en réserve. Si le corps formé par l'union Américaine acquiert de la vigueur, je dirai qu'il n'étoit que dérangé par des maladies guérissables. S'il ne sort pas de sa langueur je le regarderai comme gangrené et j'envisagerai sa dissolution. Les faits nous instruiront de la nature des maux, dont nous voyons les effets et nous feront apprécier la qualité des remèdes qu'on se dispose à employer.

Je suis avec respect

Monseigneur,

Votre très humble et très obéissant serviteur

LE C^{te} DE MOUSTIER.

2. *A Letter of Noah Webster to Daniel Webster, 1834.*

For the following letter the REVIEW is indebted to Mr. Worthington Chauncey Ford, of Washington, D. C. The original letter is in his possession:

NEW HAVEN, Sept. 6. 1834

Sir,

I understand by the public prints that you have been charged with saying, "Let Congress take care of the rich, the rich will take care of the poor." In reply to a letter from Mr. Brooks of Portland, you have contradicted the statement, by which it appears to be false and groundless. I confess, Sir, I am mortified that the propagation of such a calumny, and its reception by a portion of the people, should make it necessary for a gentleman of your character to deny the charge. I am

mortified that men can be found, in this country, *weak* enough to suppose you, or any respectable man, capable of the meanness which could dictate such a declaration, or *wicked* enough to propagate it, knowing it to be false. Yet it is not improbable our country contains multitudes of persons who may fall under both descriptions.

But, Sir, this is only a different form of expression, which I have known to be used, for more than half a century, to discredit the best men that ever adorned the councils of the United States. My age carries back my recollections farther than yours. In the year 1783, I commenced, as a political writer, a vindication of the measures of the Old Congress, in favor of the army. To make good the losses of the army by receiving depreciated bills in payment of their wages, and preventing a dissolution of the army, Congress granted to the officers half pay for life; which grant, to appease the popular clamor against *pensions*, was afterwards commuted for five years full pay. This grant roused an opposition among the more jealous republicans of that day, which agitated all New England, but was most violent in Connecticut, in which state it came near to cause a revolution. So unreasonable was this spirit of opposition, that the officers of the patriotic army, most of whom were nearly beggared by the loss of their wages, were represented as having enriched themselves by the war of the revolution. They were denounced as *rich* men and *aristocrats*, who had raised themselves to affluence upon the distresses of the people. The same low jealousy which now denounces the bank as a moneyed aristocracy, and rich men as the enemies of the poor, then assailed the brave men who hazarded their lives and property to defend their country, and to whom, under providence, the slanderers were indebted for their liberties, and to whom we owe the independence of the United States.¹

At that period, and after the present constitution of the U States went into operation, I devoted four or five years almost exclusively to the vindication of the measures of ² Congress and of the administration of Washington. My employment made it necessary for me to read all the public prints, and of course, to observe all the forms in which the popular jealousy appeared, and all the artifices of the opposers of Washington's administration, who were originally *anti-federalists*, and who, with one heart and all their influence opposed the adoption of the constitution. This party afterward took the title of *republican* or *democratic*, as being less odious than *antifederal*, and with equal unanimity, opposed the policy of General Washington, during his whole administration.

As early as the year 1783 or 1784, I became acquainted with the practice of exciting popular odium against public men, by propagating slanderous reports similar, in spirit, to that which you have contradicted.

¹ See also Noah Webster, *A Collection of Papers on Political, Literary and Moral Subjects* (New York, 1843), 316-321. ED.

² For some time he wrote for the *Connecticut Courant*. He later, 1793, established in New York the *American Minerva*, subsequently the *New York Commercial Advertiser*. ED.

The most common slander was that "*A B says the times will never be good, till the poor man is obliged to eat sheep's head and pluck; or a sheep's head and pluck are good enough for poor people.*" In the year 1783, when the opposers of the *commutation* act of Congress combined to dismiss, from the council, the members who had conducted us through the revolution, and who sustained the measures of congress, this slanderous report was circulated against the Hon. Oliver Wolcott of Litchfield, afterward governor of Connecticut, the first governor of that name. The slander had such effect in diminishing his popularity in Litchfield county, that had not the members of that body been chosen by the voters of the whole state, he would have lost his election. Yet from an acquaintance with that gentleman, I can affirm, there was not a more firm-whig or upright and patriotic republican in the state.

The same or similar calumnies were circulated against other eminent statesmen. as against the Huntingtons in Norwich. Indeed I have frequently heard the same story told, with little variation for more than fifty years. It is revived, whenever an independent statesman, is to be driven from the public councils by a rival, or by popular jealousy.

You see then that the slanderous story which you have contradicted, is only a *new form* of an *old calumny*, proceeding from the same spirit of jealousy, which is as common as it is ill-founded.

That the poor should envy the rich, even when poverty is the effect of their own idleness and vices, is very natural; as it is immoral and absurd. What would become of the poor without the rich? How would they subsist, without employment, and how could they be employed, without the capital of the rich?

Who but the wealthy can pay the public expenses? Who can furnish the capital for canals, and railroads, and all other public improvements? The poor, without the aid of the wealthy, would *perish* or be doomed to the life of savages. The rich want the labor of the poor, and the poor must have the support of the rich. There is a mutual dependence, which ought to make the two classes *friends* to each other; and any attempt to make the poor hate the rich is of all the *low tricks* of demagogues the *meanest*, and *most detestable*.

The disposition to defame and libel political opponents is a rampant evil in the United States, and a proof of deep depravity. It appeared soon after the treaty of peace in 1783 had removed the dangers of the country; but broke out in all its violence in the attempts to turn the tide of popular favor from Gen. Washington and his federal friends, in 1793 and 1794.

When the French commenced the reform of their government, the people of this country generally felt a deep interest in their success; and it was hoped and believed that the French would establish a *republican government*, which many of our citizens have thought to be synonymous with a *free government*—an opinion not always verified by facts. When the French Minister Genet arrived in the United States, for the purpose of engaging this country in the war in union with France, a majority of

our citizens, certainly a majority in some of the States, wished that his intentions might be realized. They were ready and urgent to have our government join with France in the *war against tyrants*. The policy of Gen. Washington resisted this disposition; he foresaw the danger of such an alliance, which might involve this country in interminable evils; he determined, if possible, to preserve peace; and his *popularity alone* enabled him to effect his purpose. Nothing but his *personal influence* prevented the success of Genet; but it was doubtful, for several months, whether Washington or Genet should determine the policy of the United States.

At this time the antifederal party adhered to the policy of the French Minister; and raised loud clamors against President Washington, who was denounced as a partisan of Great Britain, and his federal council and supporters were charged with an undue partiality for monarchy. Two newspapers,¹ one published in Philadelphia and the other in New York, took the lead in traducing Washington and his policy; and never ceased till he left the administration. In the period, between 1793 and 1797, I am persuaded the slanders and misrepresentations published in those papers would amount to the contents of a large octavo volume.

The freedom of the press is a valuable privilege; but the abuse of it, in this country, is a frightful evil. The licentiousness of the press is a deep stain upon the character of the country; and in addition to the evil of calumniating good men, and giving a wrong direction to public measures, it corrupts the people by rendering them insensible to the value of truth and of reputation. Party spirit, indulged to excess has a similar effect, as bigotry in religion, and to blast the reputation of a political adversary, who stands in the way of success, is to do God service. What extreme virulence of partisan malevolence must that have been which could denounce, as traitors to their country, a Washington and a Jay, men of as pure integrity and patriotism, as ever trod the soil of America! But see the proof. In August 1795; the following paragraph appeared in a gazette published in Richmond, Virginia, by one Davis.

“Notice is hereby given, That in case the treaty entered into by that d——d archtraitor J——n J——y, with the British tyrant, should be ratified, a petition will be presented to the next General Assembly of Virginia, their next session, praying that the said state *may recede from the Union*, and be left under the government and protection of *One hundred thousand free and independent Virginians*.

P. S. As it is the wish of the people of the said State to enter into a treaty of amity, commerce and navigation with any other state or states of the present union, who are averse to returning again under the galling yoke of Great Britain: The printers of the (at present) United States, are requested to publish the above notification.”

¹ Probably the *Aurora* and the *New York Daily Gazette*. Ed.

² See also Noah Webster, *A Collection of Papers on Political, Literary and Moral Subjects* (New York, 1843), 325. Ed.

This denunciation was published before the writer knew that President Washington had signed and completed the ratification of the treaty.

But the treaty was ratified and went into operation; and notwithstanding all the French partisans, or democratic party had opposed its ratification, in every way, except by the use of physical force, the treaty proved to be not only the means of preserving peace and amity, with Great Britain, but in a commercial view, it was found to be the best treaty we ever had with a foreign power. Its expiration at the end of ten years was extremely regretted.¹

Now attend to the manner in which the same party treated the great and good Washington.

On the 4th day of March 1797, the day after the last term of Washington's administration expired, the following paragraph appeared in the *Aurora*, the principal paper which had vilified that excellent man for several years.

"Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation," was the pious ejaculation of a man who beheld a flood of happiness rushing in upon mankind. If ever there was a time that would license the reiteration of the exclamation, that time has now arrived; for the man who is the source of all the misfortunes of our country is this day reduced to a level with his fellow citizens, and is no longer possessed of power to multiply evils, upon the United States. If there was ever a period for rejoicing, this is the moment; every heart, in unison with the freedom and happiness of the people, ought to beat high with exultation, that the name of Washington, from this day, ceases to give a currency to political iniquity and to legalize corruption. A new era is now opening upon us; an era which promises much to the people; for public measures must now stand upon their own merits, and nefarious projects can no longer be supported by a name. When a retrospect is taken of the Washingtonian administration for eight years, it is a subject of the greatest astonishment, that a single individual should have cankered the principles of republicanism in an enlightened people, just emerged from the gulf of despotism, and should have carried his designs against the public liberty so far, as to have put in jeopardy its very existence. Such however are the facts, and with these staring us in the face, this day ought to be a jubilee in the United States."²

Is there any way, Sir, to restrain this spirit of slander, which is continually pouring forth libels and defamatory reports against the most intelligent, upright and consistent republican citizen? Must any man and every man, who boldly supports the constitution, according to its true principles, be subjected to insult, and degradation, from intriguers and violent party men? Is there no reward but reproach and infamy, for the purest motives and noblest actions that ever adorn the character of men? I have observed this spirit of calumny and misrepresentation for half a century; I have examined the motives from which it springs, I have seen its effects; and instead of deriving any hopes of reformation from

¹ *Ibid.*, 179-224. ED.

² Bache, at that time the editor of the *Aurora*, was the writer of this article. See my *Spurious Letters attributed to Washington*, 158, note. W. C. F.

the supposed increasing intelligence of the people, recent facts continually occurring have confirmed my apprehensions that the evil admits of no effectual remedy. Some amendments of the constitution may perhaps abate the evil, by restraining the ambition of office-seekers; but the evil seems to be inseparable from frequent popular elections.

This practice of libeling political opponents, will often drive the best men from public stations, or prevent them from accepting offices; it will generate the most violent animosities between men who have a common interest in the public welfare, and a common attachment to republican forms of government; it will sometimes degrade or render odious the *good*, and exalt the *bad* to popularity and to offices of *honor*, which they will *dishonor* by their vices or their weakness. Many of our public evils may be traced to *deception* practiced upon the people, by calumny and misrepresentations. A majority of our citizens have, in some cases, been wholly mistaken in the characters and designs of their favorite leaders, as well as in the true policy of their measures. Some of these mistakes will last during the present generation; others may be dissipated by the public mischief which they produce.

Of mistakes which pervade a large portion of the community, several instances may be mentioned; but I shall specify one instance only, which is often a theme of declamation and abuse: this is a misapprehension of the origin and design of the Hartford Convention.¹ I mention this, because I was personally concerned, in the origination of it, and am acquainted with every measure that preceded it, and with the men who were the authors of it. I am the more inclined to state the circumstances of its origin, as they seem not to have been known to those who have written in vindication of the measure.

The Hartford Convention in 1814 has been represented as having for its object a dissolution of the Union: and continued attempts have been made to vilify the men who composed the convention, and thus to destroy their political influence. I *know* the charge against the men concerned in the origin and prosecution of that convention, to be *false*.

The facts respecting the origin of that convention are these. A number of Gentlemen in Northampton, in the county of Hampshire, taking into consideration the distresses of the country, occasioned by the war, and embargo, judged it advisable to invite a meeting of some of the more influential men in the neighboring towns, for the purpose of conversing on the subject, and adopting some measures to manifest the sentiments of the people to the legislature at their approaching session. The result of this conference was, that one of the gentlemen addressed a letter dated January 5, 1814, to several gentlemen in the neighboring towns, requesting them to meet at Northampton on the 19th of that month, "for the purpose of a free and dispassionate discussion touching our public concerns"; stating also that the legislature which was soon to meet, would probably be gratified to know the feelings and wishes of the people. That letter is now before me.

¹ Cf. Webster, *A Collection of Papers, etc.*, 311-315. ED.

In compliance with that request, several gentlemen met, and after a free conversation on the calamities of the country, they appointed a committee to prepare a circular address to the several towns in the three counties, Hampshire, Hampdon and Franklin, called the Old county of Hampshire. A printed copy of that address is now before me. The chief complaints urged in this address, against the measures of Congress, are the unconstitutionality of the embargo, the distresses resulting from the interruption of our commerce, and the inequality of the representation of the commercial states in Congress. The following are the concluding paragraphs of that circular.

"We forbear to enumerate all the measures of the federal government, which we consider a violation of the constitution and encroachments on the rights of the people, and which bear particularly hard upon the commercial people of the north. But we would invite our fellow citizens to consider, whether peace will remedy our public evils, without some amendments of the constitution, which shall secure to the Northern States, their due weight and influence in our national councils."

"The Northern States acceded to the representation of slaves, as a matter of compromise, upon the express stipulation in the constitution, that they should be protected in the enjoyment of their commercial rights. These stipulations have been repeatedly violated, and it cannot be expected that the Northern States should be willing to bear their proportion of the burdens of the federal government, without enjoying the benefits stipulated."

"If our fellow citizens should concur with us in opinion, we would suggest, whether it would not be expedient *for the people in town meetings to address memorials to the General Court at their present session, petitioning that honorable body to propose a convention of all the Northern and Commercial States, by delegates to be appointed by their respective legislatures*, to consult upon measures in concert, for procuring such alterations in the federal constitution as will give to the Northern States a due proportion of representation, and secure them from the future exercise of powers injurious to their commercial interests; or if the general court shall see fit, that they would pursue such other course, as they in their wisdom shall deem best calculated to effect the objects. The measure is of such magnitude that we apprehend a concert of states will be useful, and even necessary to procure the amendments proposed; and should the people of the several towns concur in this opinion, it would be expedient to act on the subject without delay."

At the time of this meeting I was not a member of the legislature; but I was chosen in the April following.

In compliance with the proposal in this circular, several town meetings were held. In Northampton, a town meeting was held on the 25th of January, in which it was voted to address a memorial to the legislature then in session, on the subject of the public evils. In this memorial, the town prayed the legislature to take measures to obtain amendments to the constitution, *either by a convention of delegates from the Northern and commercial States*, or in such other way as should be judged suitable.

At a town meeting in Hatfield, held on the 28th of January, a memorial of a like tenor was addressed to the General Court, and this con-

tained a like request for a *meeting of delegates from the Northern States* for the same purposes.

A town meeting was held in Deerfield on the 10th of January, which voted a memorial to the General Court, in which the inhabitants petitioned that body to take energetic measures for a redress of grievances.

A town meeting was held in Amherst on the third of January, and resolutions were passed, enumerating the distresses of the country, and directing the representatives of the town in the General Court, to take the most vigorous measures to put an end to a hopeless war.

These applications were made to the legislature then in session, but as negotiations were then on foot for concluding a treaty of peace with Great Britain; it was judged advisable to postpone any action on them during that Session.

But the negotiation was protracted during the following summer; the affairs of the country grew worse; our shipping was dismantled and perishing in our harbors; the public treasury was exhausted; the banks south and west of New England had suspended specie payments; the coast of Connecticut was blockaded by British ships; a part of Maine was in possession of a British force; and the whole coast of New England was left without any adequate defense. Canada had been invaded and abandoned; battles had been fought on land without any advantage to the cause; and excepting the triumphant victories of our frigates, nothing but loss and calamity attended a prosecution of the war.

These circumstances induced Governor Strong to summon a special Session of the General Court in October 1814. At this session, the convention was proposed. I was present when the proposal was made, and when it was debated in the House of Representatives. I believed then as I still believe that the measure was justified by the exigencies of that crisis, and that it had a beneficial effect. The spirit displayed on that occasion must have had a beneficial effect in checking the audacious tyranny which subjected us to the most wanton violations of the constitution in prosecuting an unnecessary and fruitless war — a war that cost the United States a hundred millions of dollars and thirty thousand lives, *without gaining one object* for which it was undertaken. I then considered, and I still consider a combination of the commercial States to recover their rights, and restore the business of the country to its usual channels, as important and as legitimate, as the Union of the Colonies in 1774 to resist the oppressive measures of Great Britain.

The proceedings and result of the Convention are before the public. They were such as to do honor to the members of that patriotic body, and would do honor to the ablest council ever assembled in America. The treaty of peace which soon followed superceded further proceedings.

It will be observed that the first proposals for a convention proceeded from the *people in their primary assemblies*. Not one person in Boston had any concern in those proposals. That the members of the convention, or any of the persons who suggested the resort to a convention, had any views unfriendly to the Union of the States, is a gross calumny,

originating in mere surmise and party jealousy. I heard all that was said at the meeting in Northampton, and at the meeting when the convention was proposed in Boston, and in the debates on the resolution in the House of Representatives; and can affirm that the charges against the convention and those who proposed it, of designs against the constitution, are utterly false and groundless. The object of the people and the measures of the convention were, in my view, as *lawful*, as *constitutional* and as *honorable*, as any that ever characterized the councils of any public body in this country. I knew *all* the gentlemen who first met to consult on the subject; I knew *most* of the members of the convention, and with many of them, I had been intimately acquainted for twenty or thirty years; I have been acquainted with many members of every Congress for more than fifty years, and I can affirm with confidence that no body of men, of the like number, ever convened in this country, have combined more talents, purer integrity, sounder patriotism and republican principles, or more firm attachment to the constitution of the United States, than the gentlemen who composed the Convention.

The history of this convention, Sir, presents full proof that party spirit may impose misrepresentations, upon a *whole people*, and mislead a great portion of them into *opinions directly contrary to facts*. Other instances may be mentioned, which have been equally injurious to the reputation of our best citizens, and even more pernicious to the public welfare. But let this example suffice.

Accept, Sir, the assurances of the high esteem and respect of

Your Obed' Servt

N WEBSTER.

[*Endorsement.*] Letter to Daniel Webster Sept. 6. 1834

I sent this Letter to M^r Webster, without taking a copy—I afterward requested him to return it—which he did after taking a copy for himself.

N WEBSTER.

3. *A Journey from New York to San Francisco in 1850.*

THE following document is a portion of a diary of David Knapp Pangborn, which was kindly furnished to the REVIEW by his granddaughter, Mrs. Winthrop Girling of Chicago, Illinois, in whose possession the original diary now is. The portions of the diary recounting the experiences of the writer after his arrival in San Francisco are not given here, inasmuch as they refer almost exclusively to personal matters without much historical interest.

June 1, 1850. New York.

Left our Dock at 3 P. M. precisely amid the cheers and greetings of thousands which crowded every possible standing place on the pier with one thick mass of human beings.

June 3. At sea.

For the first time since I left N. Y. I have attempted with success to eat a little and keep it down. . . . At 4 P. M. on Sunday had a Prayer meeting on the main Deck got up by 3 Cali Missionaries (Baptists) going out. Two of them have wives on Board, one is single and a single Lady is also going as a Teacher. . . . My tea and sea biscuit begin to relish and the confinement of the Cabin to be irksome.

June 7.

Too Hot to sleep. Thermometer 85 in shade. Came up on deck. . . . We are now fairly in the Carribean Sea. Verry hot indeed scarce a breath of air and our overcrowded Ship is almost breathless. If we find it warm on the Istmas we shall at least have more room.

Sunday, June 9.

Land. Coasted along the shore for several hours till we finally cast anchor of Chagres at 10 A. M. At 3 P. M. got safe to Shore in small row Boats.

June 10.

Hired a Canoe with 2 others beside W^m and the Doctor and started at 1 P. M. Began immediately to Rain and we put back. Our Boatman deserted and left us alone in the rain which was Rain *Pouring* for an hour and a half. Got our Baggage all wet and at 8, we verry gladly crossed over by the vivid flashes of Lightning to the American side of the River and took shelter in a Hotel under the imposing name of the Irving House. Paid a \$1.25 cash for Supper and Lodging. Supper Cider and Biscuit. Lodging a Cot and Blanket stowed in the unfurnished chamber as thick as they could be stowed. Soon fell asleep notwithstanding the heat and rested.

June 11.

8 A. M. Got a cup of coffee without milk at a Negros Stand which with a soda Biscuit made my Breakfast. With much ado got our Negro Boatmen and Baggage once more on Board and started. River rising — Banks low and swampy. Made 10 miles by hard labor and stoped for Dinner. Got more black rily Coffee and eat sea Bread. At 3 succeeded in getting our Darkies once more into the Boat and started. Made 10 miles more and landed at 8 P. M. Verry dark. Found an "Amerecano" with a tent who for the consideration of 50 cts each suffered us to sleep on the ground under his Tent. Supper Coffee and Bread.

June 12.

Started early after getting some Coffee and worked up a few miles. Current getting verry strong and River rising. Stopped at 10 A. M. at a tent and for 2 hours another Rain *Pouring*. Never saw anything compare with it. After a delay of some hours a great deal of scolding and working succeeded in getting our Negros off by the promise of \$5.00 extra pay. Started at 3 P. M. and made a few miles. Stopped at 5 at a

Native Ranch. Got into a Hen House and opened our trunks. Found to our dismay that almost every thing we had was wet. Wrung out our wet things as well as we could and hung them up till Morning. Went to a neighboring House and bought a little Coffee. Got some boiled Rice and made a Supper. Spread our Coats on some dry Hydes in the loft of the Hen House and slept well.

June 14.

More Coffee and Rice. Paid 4 Dimes each for the use of the Hen House and after an other long long spell of Coaxing succeeded at 11 A. M. in getting off. River rose during the night 10 or 12 feet and before we started had fallen again for about 5 or 6 of it. Current verry strong and navigation verry difficult. Could make with all our exertion only about one mile an hour. At 4 P. M. reached San Pablo, a Rancho on the right Bank of the River on a high Bluff and looking more like life than any thing we had seen. The Rancho is owned by a Spaniard who is almost as great a proficient at speaking as "Los Americanos" themselves. Wanted to charge us 6 Dimes apiece for Sleeping on the mud floor of his Hovel. Left him and went back some 30 Rods and made a tent of our Blankets boiled some rice bought a little coffee at a dime a cup and camped down. All soon forgot in sleep the toils of the day but myself. I got up and with the long Knife of our Boat Man in hand kept gaurd over [?] our little camp . . . and after a few hours of reflection and meditation at about 12 I lay down on my Blanket and got an hour or two of unquiet slumber.

June 15.

Got some more Coffee and sea Bread eat some cold rice and started. Toiled on till 3 P. M. with only a short rest at a Negro hut and reached "Gorgona." Got Supper at a "Hotel" with a large Name but slim accomodations and went down to the Boat. Opened all our trunks and Bags and spread every thing out in the hot Sun on the gravel Beach which was covered for nearly a Mile by Men all laboreing like us to get dry clothing. Found some of our things quite spoiled and others nearly so by the moisture and Heat. In fact every thing you touch seems wet and once wet *nothing drys* but mould ensues immediately. By close application got our things in tolerable order and repacked by sunset. Dare not trust our negroes with the Boat tonight. Some done so last night and found themselves deserted after paying as we had done fare all the way through and this morning at San Pablo paid \$10.00 each to get through, as much as we paid for the whole distance from Chagres to Cruces. Two of our party slept in the Boat, and two, the Doctor and myself at the "Rail Road Hotel" paying 75 cts for Supper and 50 for Lodging.

June 16.

All still well and at an early hour were under way. River almost impassable. Saw last night the Rapid Current of the River filled with Boxes and trunks of a capsized Boat which were mostly picked up in the Eddy opposite Gorgona. It proved to be the Goods of a German from

Utica N. Y. The owner was drowned. After an hour or two we came up to the place where the unfortunate German lost his life. A very rapid place and the Boatmen losing control of the Boat it was dashed against a snag or sunken tree and capsized. Several other fellows are said to have been drowned during the last few days. We saw 2 or 3 Floating Bodies in the River but did not learn who they were. Worked our way up till the last Mile. We were repeatedly obliged to get out on the gravelly bars of the River and walk past the rapid places while the Boatmen waded in the water and shoved the Boat and Baggage up. Arrived at Cruces at 2 P. M. all safe. Had another time drying our clothes and deposited them in a transportation office.

Sabbath, June 16.

Lounged out the day in a large tent belonging to an American. Went up to see the ruins of the old Church and made our arrangement for a start in the morning for Panama.

June 18.

Got a cup of coffee and started on foot. Found the Road not as muddy as we had been led to expect but all the descriptions of tourists had failed to give up the first faint idea of it as it is except the general one that it was difficult. It has once been a paved mule road cut through the Mountains at great expense but with the ancient Glory of Panama is in complete ruins. A small patch here and there just serves to show the fact of its previous existence. The old paving stones and other boulders lie in complete confusion over the whole surface of a large part of the Road, interspersed with occasional patches of deep mud. When it is stones the unlucky wayfarer must jump and when it is mud he must wade, for there is no dodging either, it being impossible to get out of the Road let what will be in it in the way of difficulty. A large part of the distance is made up of cuts in the Road of various depths from a few feet up to twenty or more about 10 feet wide at the top and in many places not 2 wide at the Bottom and some not even so wide filled at the bottom with the aforesaid stones and mud interspersed with here and there a dead Mule by way of variety, now suppose it to be up and down at every possible grade and crooked at every possible radius of curvature, fill it well up with pack mules and naked Negro Muleteers each with a long knife in his belt and perhaps with a trunk weighing 100 lbs or more on his shoulders and cover the whole with an impenetrable mop of foliage in Tropical Luxuriance and fill the air there with the constant screaming of parrots and you have the Cruces Road as we saw it. We leaped from stone to stone and waded in mud forded brawling brooks held our noses and crawled over dead mules most perseveringly from 7 till 2 when we came in sight of the far famed "Half Way House" a miserable tent pitched on the bank of a Brook completely covered with the Mould which covers all cloth coverings here in the wet season. No seat to sit on. Cot Beds from 75 cts to 100 each. Meals 100 and no refreshment of any sort to be had in any other form or at any other

price. It was "Hobsons choice" that or nothing. 2 of my Comrades refused to be [illegible] and went on, myself and [illegible] thought best to submit and stay washed the mud as well as we could from our Boots dried them, rested ourselves got some supper and in the morning went on.

June 19. Panama.

Arrived quite worn out at 12 M. having got a cup of coffee after a walk of 4 miles this morning. Whole distance from Cruces 22 Miles, 11 yesterday and 11 today. This end of the Road much the best, being dryer and more open the air had a better chance for circulation. Found the Doctor after an hour or two and took lodgings without the City Walls right on the Shore of the Bay in the third story of an old building said to be 100 years old. I never understood before why the upper-part of a House was the place of honor in old times in the East. I would not live below here on any account, but away up in our Attic we are cool and clean when they are suffering with heat and all sorts of offensive smells below. Have got us some Hammocks slung for sleeping and get sometimes a meal at the Restaraunts and sometimes cook a little ourselves. Pay a Dime pr day for Room Rent and Lounge away our time as we can. The Northern is not yet heard from and don't know when she will be.

Sunday, June 23.

Saw Hager and Bennett and White . . . all familiar faces. Hager and Bennett say the boat we should have taken is already gone.

At 11 A. M. a sermon preached in the Tent of a Circus Company here from N. Y. by a traveling clergyman a verry small pattern of a man but nevertheless the voice of prayer and Praise, instead of Blasphemy and impiety is refreshing . . . however poorly it may be done. Gambling and swearing is the order of the day here on every hand. Recovering slowly from the fatigue of my Journey.

June 24.

White and one or two others left to day paying \$50. difference between their Tickets and others after waiting here 8 weeks. Am no wise sorry they are gone. Society here can be made no worse by their absence and may be made better.

June 25.

Steamer Oregon arrived from San Francisco. Brought news of the Sarah Sands which has been due here for 6 or 8 weeks. She will not be here for 10 days or a fortnight yet. Some of her passengers have died. Many well have been sick, some have gone home discouraged and many more have procured other tickets and gone on. I think that 8 weeks in this climate will "decimate" a lot of passengers. 2 American funerals to day, one Man and one woman a Mrs Hardy. She has left a Husband here and a young child. It would have been mercifull to his family had he thrown them into the sea at New York instead of bringing them here

to die by inches in this climate and among strangers destitute as all must be whether sick or well of the commonest comforts of life. It is no place for women and children. If men please to come let them.

June 26.

British Steamer arrived from Valparaiso this morning, bringing no news of our boat.

June 27.

Rose early this morning and went into the Mountains back of the City. . . . had some fine views of the country about and returned at 12 M. by the way of the Burrying Ground. Saw the place where a good many disappointed Californians have taken up their last sleep, a wild neglected place outside the Catholic yard in the Bushes and trees. . . . I looked at the desolate looking place and thought of the chances I stood of taking my place among these with now no very comfortable feeling. But the will of God be done. I left home not for my own good but for the benefit of those at home. This end may be subserved perhaps as well by my dying here as by going on. Every day however we hold a council and talk over every expedient of escape from here and invariably end right where we began. There seems no way of escape for us without more funds than we have to spare so we must resign our lives and wait, as patiently as possible.

Almost every night is a Fandango at a Negro Gambling House near by kept up no body knows how long. The dull monotony of the African Drum is only relieved at intervals of the dance by the drunken yells and screams of Darkies and Dinahs in the exuberance of their joy and at all times by night and by Day we have all sorts of noises of our own among ourselves. Card Playing, singing either Negro Melodies or Methodist Hymns as the case chances to be, and all mixed in complete confusion with the most foul and foolish Blasphemy from lips that might be expected to use decent language.

I am constantly seeing things here to remind one of Eastern scenery and eastern cities. Not only is the Palm Tree that significant symbol of eastern vegetation abundant, but much in the habits of the people and in the city itself is also like the East. The streets of Panama are narrow and all are paved. The Main Street is about 30 feet wide and remainder perhaps 20 feet. A narrow sidewalk is flagged on each side in a rude manner and the paving is made with a slight decent to the middle of the street. The Houses are all made with galleries in the second and third stories projecting over the sidewalk from 3 to 6 feet and the roof has the same projection so that the sun is nearly shut out from the streets. The most of the Buildings are of stone and verry old, some few are being repaired, but a new House of any kind is not known. Many are falling to ruins.

It is a very common thing to see Buildings gone completely to decay, Churches and private Houses unroofed and fallen in, some with all the side walls still standing, some with only one side up, and the rest all

down. I think in its best days this city never had any aqueducts or any decent water. It is now supplied by water brought some distance on the backs of Mules and costs about 5 cts per gall and is the poorest water I have seen even here on the Isthmus. The principle well would not be offered as a respectable watering place for animals at home. The roofs are all covered with Tiles and the Floors of stone Houses are made of the same material only differing in form, but the houses so far as I can learn are all infested with insects and reptiles, many of them venomous. Scorpions a large kind of spider looking thing with a tail about 2 inches long is quite poisonous and a small Lizard shaped animal said also to be poisonous is very common. We see them every day crawling all over the walls and timbers above though they seem shy and run from us. The Bread of Panama is the most like Human food of any thing that is here, it is pretty good made of Chilian or Peruvian Flour and is only about double, or a little more than double the price in N. York. Beef miserable 10 cts per pound, pork not quite so bad 20 cts at the market, Fish dear, for no reason that I can learn except they are too lazy to take them. Many of them are very good. Sugar about double the price in the States and poor. This is the only place I ever saw where no attempts whatever are made at cultivation. I have not seen in the whole country any thing worthy of the name of Cultivation, every thing is brought from somewhere else even Bananas and the spontaneous productions of the earth are brought here in boats from along the coast toward Peru and many if not all the few eadible vegetables used here come from Peru, Flour, Potatoes, Apples, etc. etc. Potatoes are 10 cts per pound and other things in proportion. A large portion of the meat used is salt ham brought I should think from the States and sells for 4 dimes (50 cts) per pound.

June 29.

This morning while getting our coffee ready heard that a man had been stabbed during the night near by. Proved to be a Gambler and supposed to be killed by a Brother Black Leg for his money. He had been lucky for a number of days and was known to have several hundred Dollars. His money Belt was found by his side ripped open and Robbed. He was a white man but not an American. Only the day before in a Gambling brawl had staved and badly wounded another man. No notice is taken of the affair here by the Authorities if indeed there are any Authorities here, of which I see no indication except the presence of some forty or fifty Negro Soldiers barefoot and dirty and taken together the most inefficient looking Negros I have seen here. A perfect caricature of the name of Soldier. Nobody minds any thing about them and nobody so far as I have been able to learn ever dreams of appealing to the city government for justice in any case whatever.

Sabbath, June 30.

Attended Protestant service. Preaching by the same stranger that preached last Sabbath . . . to a large congregation.

July 4.

In Panama still and no prospect of relief. Great preparations are made up in the city for a celebration of the day. The Governor has offered the use of His House and has ordered it would seem an extra guard from somewhere for the occasion. A steamer is in the port under our window dressed in all the colors of the Rain Bow ready to carry those who have more Dimes and Patriotism than Brains to somewhere in the hot sun. I have to stay at home and save my breath to Hurra for the Northern should I be so happy as ever to see Her come. She is now 86 days out.

A chapter on Steamboats.

4 July, 1850.

I have learned what I can of the steamer business since I have been here and found it on the whole the most stupendous fraud of the age. Tickets are issued and sold by thousands in N. Y. and the Identical Money paid for them by the deluded Purchasers is Taken and Boats purchased with it and sent round the Horn while the robbed passengers have purchased instead of a "Through Ticket" a certificate of *certain detention* here. Many got sick, some die and many are discouraged after weeks and months of delay and broken in fortune or constitution or both goes back discouraged entirely. I. Howard and Son and Roberts Lines have neither of them any certain means of forwarding from here one fifth part of the passengers they catch in their "Man Trap."

Roberts and Co [?] have 2 Boats here but only one of them has yet made more than one trip up while they are sending on passengers for the 3d trip that must stay here till Sept if not Oct.

Howards Line have got no Boat running with any sort of regularity on this side. They have been selling through Tickets since last Feby and have only the Sarah Sands here which went up on her first Trip! I actually only Her first Trip. She left here the 9th of Apl for San Francisco and has not yet returned and this is the *only load* of passengers Howard and Son have ever sent up. She was heard from a few days ago near Monterey going up. The Passengers had got tired of waiting for Her and landing walked up the Coast 150 miles and Sent Back a lighter load of Coal to the poor Boat to help Her up. In the mean time the passengers for Her second trip are here waiting for Her 8 or 9 weeks unless by great Sacrifices they have got on some other way. The passengers for the New Orleans Have I think mostly got wearied out and disposed of their Tickets in some way and dispersed. The "West Point" is thought to be lost and the "Northern" which was to have been here without doubt in 70 days is now out 86 and not heard from. People get Here and have paid their money in New York unsuspectingly thinking they shall go on and find when they get Here that their further progress is "Indefinitely Postponed" or they are subjected to the tender mercy of a "Ticket Gambler" Instead of whom commend me to an Algerian slave dealer.

Many an unlucky wight has paid them more money as a bonus on a Ticket than the original cost of the Ticket in New York. They cry down [?] the owners of the non appearing Boats and buy up the Tickets of the wearied passengers and send them back home or up on Sailing Vessels and then when the Boat comes sell the Tickets at double and more than double prices and the very agents of the lines themselves are shamefully engaged in thus plucking their poor Emigrants.

Saturday, July 13, 1850.

West Point arrived round the Horn yesterday and the Columbus this morning from California but no "Northern" yet for us. More [?] American funerals yesterday and no escape open for us. "Though He slay me yet will I trust in Him." It is my Father. Let Him do what Seemeth Him good. Prayer Meeting last night and Prayer precious to me. It is an affecting and pleasant sight to see Strong Men with nerve to do and suffer what we are doing suffering and engaged as all here must be and expect to continue to be engaged in a struggle not only with difficulties but in a contest stern and strong with the selfishness of men. To see such men in the childlike Simplicity of true Christian feeling melted to tears under the influence of the spoken [?] truth, Christian truth and prayer. But so it is and when we meet each other after those interviews it is with a more cordial feeling of recognition and a far kindlier shake of the hand.

Thursday, July 18.

The "Northern" arrived on Tuesday last. The "Republic" has also come from round the Horn and the Sarah Sands from California so that there are many happy faces in Panama and a great majority of the Emigrants will be gone from here in the course of the next ten days probably to be succeeded by fresh arrivals from home. There seems no end to the Hordes that are coming. I have not had an hour of ill health since I came on the Isthmus five weeks since. William has been ill for two weeks and the Doctor longer and seems to have lost all his self possession and energy. Hope to get away from here next Tuesday.

Sunday, July 21.

Still here in Panama and cannot foresee when we are to get off but hope to this week. Service this morning at 10 A. M. at the Home of the French Consul. The Americans here have petitioned the Governor for the use of one of the vacant churches for Protestant services. There are 15 or 16 churches and convent chapels in the City and not half of them ever used at all. Our last Friday night Prayer Meeting was broken up by the changes occurring here daily, some who had sustained it were gone while their places were filled by Men of another spirit and also by sickness in the Town. They must now be reckoned among our past opportunities [*sic*] for which we must account at the day of Judgment.

Thursday, July 25.

We expect to go on board tomorrow morning. We expect to be crowded badly and have poor accomodations. But we are glad to get

on at any rate for we are tired enough of Panama. Hope I have bought the last Picayune worth of rice of the old Negro woman at the corner and shall have to kindle but few more fires here to cook it and eat but few more meals here on the Top of my trunk. But I will not rejoice to much. I expect the fare on the Boat will make me regret even Panama.

Friday, July 26.

At 3 went on Board the Little Steamer Taboga for the Northern and ran down to the Island of Taboga. Reached there 10 miles and came on Board at 4½ P. M. Ship all in confusion.

Saturday, July 27.

The balance of our Passengers came down from Panama to day at 3 P. M. and at 6 we weighed our Anchor and stood out to sea. Ship crowded to excess between 400 and 500 Hundred Passengers and over 100 of the Crew making in all over 600 Souls on Board. In my cot tonight I reviewed once more with gratefull heart the goodness of God to me while on the Isthmus for 7 weeks in an unhealthy climate surrounded by the sick and yet not one sick hour.

Sunday, July 28.

Evening. *Sea Sick.* Oh! Oh!

29 Mondy. Do Do

Tuesday, July 30.

Not a breath of air and our crowded Ship is insufferably hot.

Saturday, August 3.

Morning. Land again in sight on the Starbord Bow. At 11 A. M. altered our course and stood in for Land and coasted up looking for the entrance of the Bay of Accapulco but did not make it till 8 P. M. It was now dark and we knew that the officers of the Boat were none of them acquainted with the Place. We had therefore to make a strange Harbor in the dark without any Pilot. Great anxiety was felt and all hands were on Deck watching the course of the Ship as she stood into the entrance between Two Headlands that rendered by their deep Shadows the passage blind and dark enough. Even "Venus" was in a cloud as we went in, but went safely up however though verry nigh the Breakers once and quite out of the regular channel and at 9 P. M. Dropt our Anchor before the City and all hearts were lightened of a load. Just as we made the entrance of the Harbor at 8 P. M. one of our number died a Mr Smith from Western N. Y. and as we turned in at 10 or 11 we heard that the "Cholera" was on Shore and that the Small Pox was on Board — rather poor things to set one to sleep.

Sunday, August 4.

What little disposition I had to sleep was defeated for the most part last night by the incoherent ravings of a young man near me who had a fever. After Breakfast all went on shore to give the crew a chance to Cleanse the Ship. Carpenter made a rough coffin for the dead man and at 10 He was carried a shore and Buried by the American curate.

Accapulco is a much cleaner and pleasanter Place than Panama. Went this morning about $\frac{3}{4}$ of a mile out of the City Back to bathe in a Beautiful stream of fresh water coming right down from the High Mountains in the rear. Walked in the groves and Gardens a while and returned to Town and got Dinner.

Then went up on an elevated Plateau overlooking the Bay under a grove of Mango Trees to while away the time till night. The City is on our right a strong Mexican Fort is on the Point at our left and the Bay and Shipping right before us. The Northern being right in the Center of the Picture, covered with Her crew and all the "Hombres" that they can hire Taking in Coal and water, Cattle, Sheep and Pigs. At $4\frac{1}{2}$ took a long ramble up past the City and all around the Beach till we came to where our further progress was Bared by the shutting [?] down of the Hills so near as to close the Road. The City Lies embosomed among Volcanic Mountains Wild and Rugged as possible. In the rear is a natural [?] plain of a Mile or so before you strike the Base of the Mountains in one direction but in another the Houses of the City extend for some distance up the sides of the Hill. The Houses are all one story High and even the Church is very low being evidently made for a Volcanic Country.

Monday, August 5.

At Half past five heard the welcome sound of the parting Gun fired and we left our Anchorage with three cheers answered from the crowded decks of the Steamer Republic along side and from some other vessels and stood out of the Bay. Two more of our Sick had died while we were on shore on Sunday and were carried on shore privately and buried in the evening One the sick man who had disturbed us on Saturday night and the other a Ships Boy. Our Ship had been however well cleaned on Sunday and we hope the most of our sickness is over but we are in the Hands of God. In His hands our Breath is whose are all our ways.

As we left our anchorage in the Bay of Accapulco a storm of thunder and Rain Burst on us from the high mountains back of the City and we put to sea in the midst of the severest storm of wind and rain we have seen for many days. But our Boat is a good one and we have confidence in the good Providence of God. I slept well and rose Tuesday morning at Sea and in good health. The coast of Mexico in sight Mountainous in the extreme. Course still "West North West." Heard that while lying in the Harbor it was Stated by the passengers of the "Republic" that one of their Passengers on the way down from Panama being out of His head with Fever came on Deck unobserved by any one and before the watch on Deck observed what he was doing leaped overboard just before the wheel and of course was seen no more. I did not learn who He was but the Ship held on her way. William has been sick again and took an emetic on Saturday morning. Is better again now.

A Journey from New York to San Francisco 115

Wednesday, August 7.

By the goodness of God still well myself. One of my acquaintances from Burlington, a Mr Pine [?] removed to the Hospital (on the after Deck near my Berth) sick with Small Pox.

Thursday, August 8.

Heard from young Pine. His case proves confluent Small Pox. But inasmuch as a sail cloth curtain separates the Hospital from the cots of the Passengers we hope it will not spread so as to get us into quarantine at San Francisco.

Saturday, August 10.

Had our quarters moved to day into a less favorable spot. Caught a severe cold in my new quarters last Night and a Fray occurred between a Mr Dearborn and the first Mate about the Berths.

August 12.

Cold severe. Put on all the clothing I ever put on in winter and yet uncomfortable. My cold no better.

August 15.

Daylight off the entrance to the Bay of San Francisco.

4 P. M. Dropped our anchor at 8 A. M. Health officer came on Board and we had but one sick man on our list. The rest had all recovered or nearly so. We were permitted to land and after a long tiresome and dinnerless day of scrambling pulling and hauling succeeded in getting all safe on shore and am at the Hotel [?] waiting for supper with a good appetite.

REVIEWS OF BOOKS

The History of the World. A Survey of Man's Record. Edited by Dr. H. F. HELMOLT, with an Introductory Essay by the Right Hon. JAMES BRYCE, D.C.L., LL.D., F.R.S. In eight volumes. Vols. I., IV., and VII. (New York: Dodd, Mead, and Company. 1902. Pp. lx, 628; xii, 590; ix, 573.)

THE plan of this new universal history marks a wide departure from the time-honored model of the familiar *Weltgeschichte*. In its scheme geography and ethnography, so far as possible, are the determining factors in the arrangement of the material so as to give proper recognition to the influence of physical environment in shaping human progress. In its apportionment of space to different peoples it is equally emancipated from the trammels of tradition. The advantages of the plan appear at their best in Volumes IV. and VII., devoted respectively to the "Mediterranean Countries" and to "Western Europe"; and its defects stand out most sharply in Volume I., which is devoted to America, and in which the Pacific Ocean is assumed as the central geographic factor. Dr. Helmolt's reasons for this as given in the preface appear to me to be trivial. It would be impossible to select for the starting-point of a universal history a geographical center that is so far from the beginning, and whose history presupposes for its proper understanding so much that has gone before as is the case with America. The objections to this arrangement of the material that occur to one are far from quieted by Dr. Helmolt's introductory essay, which is overloaded with aphorisms and generalizations from various authors, and is distinctly lacking in close and lucid argumentation. The question, however, is not vital to the merits of the work as a whole, for no one is obliged to read the first volume first.

The contents of the opening volume, waiving the question whether they all belong there, are excellent. The second chapter, by Professor Kohler of Berlin, is a general survey of the development of social, political, and religious institutions. It invites comparison with the introduction which Mr. Bryce has written for the English edition. The two are in some respects counterparts of each other, the one dealing with the internal, the other with the more external aspects of human progress, and both reflecting not only the intellectual characteristics of their authors, but in some measure also those of the German and the English mind. Next comes a compendious statement by Professor Ratzel of the principles of anthropogeography, the presentation of which in English is to be wel-

comed. Equally welcome is Professor Johannes Ranke's sketch of pre-historic culture, a masterly review of the present state of knowledge of the subject.

Nearly 400 pages of the 600 in this volume are devoted to Karl Haebler's "America." Of these 400 pages 166 are taken up with aboriginal culture and history—not too much, surely, for the Americanist; but when in Volume IV. one finds only 46 pages allotted to the history of Greece to the death of Alexander, and 135 pages to the history of Rome, he has misgivings as to the editor's real grasp of the problem and significance of human history and of the relative importance of its contributing elements. Of this part of Dr. Haebler's work I cannot speak with competence, but his great familiarity with the recent critical literature of the discoveries renders his account of that period of American history a most convenient summary of present-day accepted fact and approved conjecture. Much higher value attaches to his survey of the Spanish colonial empire, with its discussion of the *Casa de Contratacion*, the native question, the missions, trade policy, and negro slavery. On all these subjects Dr. Haebler writes from the vantage-ground of his researches in the economic history of Spain; and the section as a whole is far and away the best brief account of the Spanish colonial system accessible at present to the English reader. His account, too, of Spanish-American history is a serviceable addition to the not over-abundant scholarly treatments of the subject in English.

The fourth volume, as I have said before, exhibits in a favorable light the arrangement of the material on geographical lines; and the various contributions are excellent. Professor Rudolf von Scala of Innsbruck makes brilliant use of the limited space allotted to him for Greece. Dr. Jung has more elbow-room for his presentation of Roman history, and yet the mass of fact is too great for him to escape altogether the arid atmosphere of a summary. Both of these writers correlate with their narratives in the appropriate places the work of the ancient historians. Dr. Heinrich Schurtz in 85 pages takes a bird's-eye view of the history of the Pyrenean peninsula from the days of the primitive Iberians to the end of the Spanish-American War, a veritable *tour de force*. In spite of its merits, one must consider the space too brief for a proper treatment of the period of Spain's greatness.

The most striking essay in Volume VII. is that of Professor Richard Mayr on the "Economic Development of Western Europe" since the crusades. The opening paragraphs immediately arrest the attention by their richness of thought and their precision of definition; and the chapter as a whole is compact with interesting facts and suggestive generalizations. Another chapter in this volume that is out of the ordinary run is Dr. George Adler's review of the "Social Question," its economic causes, its problems, and its present status in the different countries of the world. The socialistic ideal, he trenchantly asserts, is an illusion, but one of those great illusions which stir inert mankind and make progress possible through the agitation of the mass. The other chapter in these

two volumes are by authors of high standing in the historical field, but do not call for especial comment in this place.

Enough has been said to indicate that the preparation of an English edition of this new *Weltgeschichte* has definitely enriched the body of historical writing in English that is abreast of modern research. In regard to the form of this edition, one may regret that the English volumes cost twice as much as the German ones and are nearly twice as heavy. If the series could have been reproduced in handy volumes, for sale separately as well as in sets, its use would have been more convenient and consequently more extended.

The work of translation may be pronounced good on the whole. The narrative is everywhere readable, and frequently one is not conscious of reading a translation. Then, again, one is brought up sharply and made suddenly conscious that he is trying to see "through a glass darkly." Obscurities of this kind and most of the errors of rendering that I shall quote could very easily have been detected by having the proof read by a scholar familiar with German and with history. These examples, unless otherwise indicated, are from the first volume: On p. 62 Johannes von Mueller's "Einleitung in die Geschichte der Eidgenossenschaft" is rendered "preface to the history of leagues and confederations." On p. 347 we have "the priest John" for "Prester John"; on p. 349 "Toscanellis Brief" is translated "pamphlet"; on p. 352 we meet with "Celi, Duke of Medina," instead of "the Duke of Medina-Celi." On p. 364 we are puzzled by a reference to the discoveries of the thirteenth and fourteenth centuries, and find that the German reads, "die Entdeckungen im dritten und vierten Jahrzehnt des 16. Jahrhunderts." Again, on p. 391 one stumbles over the sentence, "It was impossible to form any conception of the revenues and progress of the colonies without having sufficient working material in the shape of native labor"; but a glance at the original lifts the veil; "an Einnahmen oder Erträge aus den Kolonien war ohne ein zulängliches Material an eingebornen Arbeitern nicht zu denken." On p. 375 Haebler says Cortez seized Tescuco so as to attack Tenochtitlan, and adds, "Daß er auch hier, nach Vertreibung des aztekischen Statthalters, hilfsbereite Bundesgenossen fand, war wieder eine klug in Berechnung gezogene Folge der politischen Verhältnisse von Anahuak"; in the English this becomes, "In consequence of the political situation which had been wisely computed by Anahuak, Cortez," etc. The confusion is even more striking when we are told in regard to the Spanish missionaries in America, "The mysticism of the Renaissance united with the enthusiasm for the natural conditions of human society which had arisen from Romanticism in casting reproach upon the Spanish missionaries that they with blind fanaticism had annihilated the last remnants of sacred antiquity," etc. The German is clear enough, but it naturally has to be understood before it can be translated. It begins, "Der unverständige Doctrinarismus der Aufklärungszeit im Bunde mit der aus der Romantik hervorgegangenen Schwärmerie," etc. These words may be rendered, "The unintelligent

dogmatism of the eighteenth-century rationalists joined with the enthusiasm of the Romanticists for the state of nature," etc. *Die Aufklärung* and *die Aufklärungszeit* in the other volumes are usually rendered "enlightenment," "age of enlightenment." It seems to me, however, that in general historical narrative the proper equivalents are "rationalism" and "eighteenth-century rationalism." In several passages in this first volume the sense is obscured by rendering *wirtschaftlich* by "agricultural" instead of "economic." Two more errors may be mentioned, which must be charged up against the proof-reader. The reviser of the last chapter is Karl Weule in the German and Charles Weale in the English; and the portrait of Toscanelli is labeled Colombo, and that of Columbus is labeled Toscanelli.

EDWARD GAYLORD BOURNE.

A General History of Commerce. By WILLIAM CLARENCE WEBSTER, Ph.D. (Boston and London: Ginn and Company. 1903. Pp. ix, 526.)

It is the intention of the author and publishers that this book shall serve a three-fold purpose: that it shall be used (1) as a text-book in secondary schools that offer regular courses in economic history; (2) as a text-book in lower classes of colleges; and (3) as a companion book to the study of general history, or of the history of particular nations, in all schools. On the whole, because of its scope and method of treatment, it is probably best adapted for the third of these purposes. For the first purpose it ought to be preceded, in order to secure satisfactory results, by a thorough course in general history; for the second purpose it is hardly advanced and detailed enough, and for both purposes its point of view gives rise to serious objections to its use in courses other than the courses in history proper. A few characterizations will bring out more clearly this nature of the work.

It is a history of civilization in which is taken the commercial point of view of the history of the rise and fall of nations. It is really a story of national life. In his endeavor to "get clear-cut and accurate pictures of the commercial growth and decay of separate nations," and not to fail "to grasp the dramatic element which the subject presents," the author has too much emphasized the fact that commerce "prosperes in peace and is destroyed by war," and has not satisfactorily fulfilled his promise of presenting "an understanding of industrial, racial, and climatic" conditions which determine the course of industrial and commercial life. This makes the work more valuable for students who desire, for instance, suggestions as to the commercial aspects of the war between Philip II. and the Netherlands, or of the struggle for supremacy between England and France, than for students who are studying commerce and industry for the sake of the principles involved.

As the title indicates, it is a general history. In the space of 514 pages the author reviews the commercial history of nations from the earliest time to the present. It is necessarily, therefore, a compact statement

of facts and conclusions. The result is that the work is hardly detailed enough for a college course, although of suggestive value to students at that stage. For students in secondary schools, on the other hand, the author has succeeded in presenting so much, in so compact a form and with so many historical allusions, that to make its use profitable there should be a thorough preparation in general history.

In execution the author has been very successful. The parts are well balanced. A few generalizations are open to contradiction, a few more to question, but on the whole the work shows a good grasp of the historical movements in the various periods. In his analysis of the essential features of the industrial and commercial life of the last period the author is not so fortunate. The style is smooth and the ideas clearly presented. There is a good index and good bibliographical reference-lists. The eighteen maps are very helpful; ten more, in place of the illustrations of vessels of the various periods, would have helped the text so much the more.

Dr. Webster's work will be found to be a very suggestive companion book for students of political and of industrial history; and in those institutions in which the work is all commercial, in which there are no courses in general history, and in which something is needed to fill this place, this work is the best that has yet been published.

H. S. PERSON.

A History of Egypt. By E. A. W. BUDGE. (Oxford: University Press; New York: Henry Frowde. 1902. Eight volumes. Pp. xxiv, 222; xvi, 207; xvi, 219; xvi, 241; xvi, 219; xxxiv, 230; xvi, 251; xvi, 321.)

RESEARCH in the field of Egyptian history can hardly be said to have kept pace with the rapid progress made in the study of the language in the last twenty years. The career of the Nile valley peoples in its principal epochs and broad outlines may now be traced with a fair degree of clearness, but the whole subject abounds in unsettled problems which require to solve them only the collection of the existent materials, and bristles with innumerable questions demanding special investigation. The very bulk of the history under review would suggest that at least some of this work had been done in its preparation, but such is not the case. The author frequently attempts the solution of the more patent problems, but he is for the most part unconscious of their existence. Why his researches are not more successful will be apparent as we proceed.

The work covers the entire sweep of Egyptian history from the earliest times to the absorption of the country into the Roman Empire. The division into volumes is not well done: the twenty-sixth dynasty is needlessly cut in two at the end of Volume VI., and the Ptolemies suffer the same fate at the end of Volume VII. The method of treatment is a modification of the one introduced by Brugsch and Wiedemann in Germany and followed by Petrie in England. It consists of presenting the

documentary and monumental sources themselves, arrayed before the reader in motley succession, accompanied by some few interpretative remarks by the author. That this is not history but merely the materials for a history is of course evident. The obvious function of the historian, of sifting, classifying, arranging, and then basing a coherent and carefully digested treatment of each epoch upon these sources, plays no part in such a work. There is an attempt to avoid this difficulty in the present work by appending to each period that has been so treated a summary. If these summaries had been skilfully done and put together in a volume by themselves, the whole work would have been much improved. As it is, it suffers from repetition. As each volume is introduced by a preface summarizing its content, the repetition becomes intolerable, especially as repetitiousness is characteristic of the author. For example, he says, "In this coffin was found a mummy which was believed to be that of the queen, but when it was opened on June 27th, 1886, the inscriptions which were found upon the bandages, etc., showed that it was the mummy of king Painetchem" (III. 200, 201). Only six pages further on (not in the summary) he says, "The mummy which was inside the coffin of queen Aah-hetep was opened on June 27, 1886, and the inscriptions on the bandages proved that it was the mummy of Painetchem." Again in successive sentences: "... at Elephantine he built a small but most interesting temple in honor of Khnemu, the Nubian god of the first cataract. This building was comparatively small ..." (IV. 110). A number of similar examples might be offered.

As to the character of the sources, in the form presented by the author, several facts should be noted. The classic sources are not cited in the best and the latest translations; indeed (to use the author's own words), "The extracts from the History of Herodotus, given in English, are taken from the quaint and charming old rendering of the first two books by 'B. R.', which was published in 1584"!!! Page after page of this "quaint and charming old rendering," with the old English spelling unchanged, and in critical passages bristling with errors that make it worthless, are then offered for the reader's delectation. The Egyptian sources are given in translations or in summaries and occasionally in the original. The most difficult and uncertain passages are rendered in the smoothest of modern English, without a hint of an interrogation point. The Egyptian sources are therefore far more untrustworthy than the classic. Of the philological side of the work we shall have occasion to speak further.

It is impossible within the necessary limits of a review to discuss the large and difficult question of the chronology. The author adopts with some modification the system of Brugsch, without seeming to know that Brugsch later accepted without reservation the astronomical results of Mahler — results which the author rejects after the most superficial examination, and results which make quite impossible his own system.

The vast period covered by the work, as well as the amount of material involved, make it quite impossible to survey the author's treatment of the

successive epochs with which he deals. All that we can do is to examine the character of his methods and results; and determine whether or not his work is trustworthy. We have already noted that the repetitions in the work indicate a tendency to forget entirely what he has already stated. But this tendency does not stop at repetition; it goes on to contradict calmly, in a manner that is simply amazing, what has already been dogmatically stated in previous pages. Permit me to offer a few examples:

1. In speaking of the stela between the fore legs of the Great Sphinx, the author says, "In the thirteenth line of the inscription, the cartouche of Khaf-Ra occurs, but the text is too mutilated to see in what exact connection" (II. 50). Later he states, "... the few legible words in line 14 tell us that the Sphinx was made by king Khaf-Ra" (IV. 86). The first statement is correct; the second, contradicting it, is pure fiction.

2. Referring to the wooden coffin found in the third pyramid of Gizeh, the author says: "So far back as 1883 . . . certain Egyptologists had declared the wooden coffin of Men-kau-Ra to be a 'restoration' of the XXVIth Dynasty, and not an original piece of work of the IVth Dynasty. . . . The statements put forth in support of the restoration theory are inconclusive and quite insufficient to set aside the opinion of the experienced archæologists [Birch and Maspero] mentioned above" (II. 60-61). Now this alleged fourth-dynasty coffin is mummiform and had a mummy's face and head. But later in arguing on the age of the coffins of the "Antef kings," the author says, "... no example of a coffin made in the shape of a mummy with a human face is known to belong to these early periods" (II. 182). As he is referring to the eleventh dynasty and earlier, the above mummiform coffin, affirmed by him to belong to the fourth dynasty, is here by his own admission necessarily of later date than the eleventh dynasty.

3. In speaking of the last Montuhotep, a Theban Pharaoh of the eleventh dynasty, the author says, "... before his death his empire extended from the sea coast on the north to a point some considerable distance to the south of Aswan" (II. 202); but a few pages further on, in the first paragraph of the very next volume, he remarks of the Theban Amenemhet I. (who reigned two generations later), "... he was the first of the princes of Thebes who succeeded in making himself actually king of the Nile Valley from the Mediterranean Sea to Aswan" (III. 1).

4. The British Museum possesses a pair of magnificent sculptured lions placed in the Nubian temple at Soleb by Amenhotep III.; they were later carried southward to Gebel Barkal in Nubia by one of the Nubian kings. Of these lions the author says that they "are thought by some to have been taken there [to Gebel Barkal] from the north by the king who usurped them, but that seems unlikely" (IV. 112). Later, however, he states: "It is usually said that Amenhetep III. set up here just under the mountain called Gebel Barkal, a building . . . but there is no evidence that he did so, for the lions inscribed with his name . . .

which were found there were probably brought to that site from the temple at Soleb" (VI. 100).

5. The discussion of the remarkable reign of Amenhotep IV. calls out the following remark: "The mummy of Amenhotep IV. was found in the tomb of Amenhotep II. at Der al-Bahari" (IV. 129). A list of the royal mummies found in this tomb is later inserted, and it contains the name "Amenhotep IV." (IV. 175). In the face of all this we find in the next volume a page and a half devoted to a demonstration that M. Loret was wrong in asserting that among the royal mummies found by him in the tomb of Amenhotep II. was that of Amenhotep IV.; and the author adds that in January, 1900, he himself inspected the mummy alleged to be that of Amenhotep IV. and reached the conclusion that his colleagues were correct in asserting that it was not such, but that it belonged to Merneptah, supposed to be the Pharaoh of the Exodus. The two volumes containing these contradictory statements bear the year 1902 on the title-page as do all the volumes of the work.

Where unfamiliarity with what has already been said in the author's own work is so evident, acquaintance with what other men have said or with the evidence of the monuments is hardly to be expected. Of some of the most important monuments the work shows total ignorance. One of the important activities of Egypt's earliest period was her commerce with Punt (the Somali coast) by the Red Sea route. A very interesting inscription in a tomb at Assuan contains the autobiography of a nobleman named Pepinakht, who relates how he was sent to the Red Sea coast to rescue and bring back the body of an officer who, while building a ship there for a voyage to Punt, had been set upon and killed by the Beduin of the region. Not knowing of this inscription, nor of another at Assuan showing that at least two more voyages to Punt were made in the Old Kingdom, the author tortures the reference to the only expedition thither with which he is acquainted in this period into an overland route to Punt, for which there is not the slightest evidence (II. 120, 134). These four voyages took place in the fifth and sixth dynasties, in the middle of the third millennium before Christ, and are the earliest long voyages in the open sea known in human history; but our author knows of no voyage to Punt until the eleventh dynasty (II. 206), nor of any "sea-going boats" earlier than the same period (VI. 59). The family of nobles who carried on this commerce for the Pharaohs of the time resided at Assuan, on the island of Elephantine at the foot of the first cataract. In one of the neighboring cliffs their tomb chapels are hewn, and it is in these chapels that they have left the records of their adventurous voyages. They naturally also led the Pharaoh's caravans into the upper cataract region to trade among the Nubian tribes for ebony, ivory, gold, and panther-skins. The most famous of these border nobles was Hirkhuf, who penetrated to the pygmies of the interior and brought back one of them for the Pharaoh. After recounting this man's expeditions, the author says, "It is much to be hoped that other inscriptions of the kind may be forthcoming" (II. 120). Considering the fact that the

author has visited and written at length upon the Assuan tombs (PSBA X. 4-40) and even assisted in their excavation, it is remarkable that he should be unacquainted with the content of the inscriptions in the tomb of Sabni (of which he himself took squeezes on his visit there), which furnish us with another expedition like that of Hirkhuf. Had the author made use of his own squeezes, the desired "other inscriptions of the kind" might have been "forthcoming." In the Old Kingdom, for a knowledge of which our sources are so painfully scanty, we therefore find that, in the matter of foreign relations alone, three important inscriptions, two of them long ones, are unknown to the author. Again, in the foreign relations of the Middle Kingdom, the expedition of Usertesen I. against the Beduin is unmentioned and seems to be unknown. Likewise the treatment of the foreign relations of the New Kingdom suffers from similar unfamiliarity with the existing evidence. The queen "Thi," who, in the opinion of our author, was a foreign princess from Mitanni, and is so often mentioned on the interesting commemorative scarabs of Amenhotep III., is already mentioned on the great Bull-hunt scarab in the king's second year. But with this important monument the author is unacquainted, and he spends nearly two pages (IV. 98-100) on the question of the date of the queen's marriage, a question which would not have arisen if he had been acquainted with this scarab. The sources on the foreign connections of the New Kingdom contain monument after monument thus overlooked by the author. Thus the campaign of Amasis I. into Phœnicia is unknown to him (III. 188); he is unacquainted with the campaign of Thutmose II. on the Euphrates (III. 215); he has overlooked the advance of Thutmose III. to Lebanon on his first campaign after the fall of Megiddo (IV. 36, 37). Such are some of the more important oversights bearing on foreign relations alone. But the worst sin of this character in the work is in the treatment of the eleventh dynasty. A group of Pharaohs named Intef or Antef, usually assigned to this dynasty, have been shown by Steindorff to belong, *with some exceptions*, to the seventeenth dynasty, some four hundred years later. Our author, using Steindorff's results (without acknowledgment, by the way), is so captivated with the idea of the later date for these kings that he overlooks the exceptions, and bundles the whole group unceremoniously into the seventeenth dynasty. Yet the tombstone of a man who lived early in the twelfth dynasty records the fact that he held an office to which his great-grandfather before him had been appointed by one of the Antefs, called Uah-anhk. This "Uah-anhk," therefore, must of course have lived before the twelfth dynasty; but not knowing of this tombstone, which is in the museum of Leyden (V. 3; Piehl Insc. III. XXI.-XXII.), our author carries Antef-"Uah-anhk" also over to the seventeenth dynasty!

The above omissions concern only original documents; it would be useless to cite examples of unfamiliarity with the researches of the last twenty years. Even the time-honored "poet laureate of the day," Pentaur, who was buried with honors by Erman twenty years ago, still

figures in a musty paragraph of this work (VI. 52). Where a modern work is cited and apparently used by the author, a closer examination reveals that his acquaintance with it does not extend beyond the title. Thus he refers to Schaefer's new edition of the great Nastesen Stela in Berlin, but in his use of the monument he employs the mention of Dongola (VIII. 157), formerly supposed (by Maspero) to be found upon it, not knowing that the cleaning of the stone and the new collation by Schaefer have shown that no such word exists in the text. But the vast majority of the results of recent research, except those gained by excavation, have no place in the work whatever.

Turning from the material which the author has overlooked to that which he has employed, the misunderstandings and errors are numerous, far exceeding the slips of which every historian must now and again be guilty. We are told that the obelisk of Hatshepsut at Thebes weighs 3,650 tons (IV. 18), which is about ten times its actual weight; and the fact that such numbers are found in the old guide-books inclines one to think that it is not a misprint here. It is stated that the Lateran obelisk gives the length of time between the reigns of Thutmose III. and Thutmose IV. as 35 years (IV. 60), whereas it only states that it had been *lying on the ground* as left by Thutmose III. for 35 years until it was erected by Thutmose IV. We find Amenhotep III. referred to as the son of Amenhotep II. (IV. 161), though he was in reality his grandson; we see Thutmose IV. making an expedition to Phœnicia on the basis of an inscription of the reign of his grandfather, Thutmose III. (IV. 79); while Ramses III. is made to fight a great naval battle on the coast of Palestine, although the inscriptions clearly state that it took place in Phœnicia (V. 152). This list might be continued indefinitely; and to these errors of the author's own making might be added a long list of those which he has taken over from the work of other men, some of which clearly earmark the secondary sources which he has used, like the list of dead and captured in Ramses III.'s second Libyan war (V. 157), which contains a mistake in the numbers to be found only in Chabas's translation (and in Maspero's *Histoire*, from the same source).

From what has been said it will be evident that this work has been put together with a haste which has made careful work and safe results an impossibility. Almost every page bears evidence of a looseness that is fatal to the results. The great copper statue of King Pepi appears at first as of copper, but regularly after that as of bronze; of the ships of Queen Hatshepsut on their return up the Red Sea from the Somali coast, the author says, "In due course the ships arrived at Thebes . . ." (IV. 10). What ships? There was no water connection between the Nile and the Red Sea at this time. When such looseness is found in the treatment of purely material things, the reader may imagine what happens when the author treats abstract questions demanding something of historic sympathy and an appreciation of historical and race psychology. Hence we find the Nubian conqueror Piankhi, when he was unable to catch a certain clever Delta prince and force him to surrender,

innocently eulogized in this delicious fashion: "... it was a generous act on the part of the Nubian conqueror to spare him such a terrible humiliation in the sight of his former allies . . ." (IV. 114).

The question of transliteration, being exclusively philological, cannot be treated in this REVIEW, but the general observation should certainly be made that the old misreadings scattered through this work are very numerous, besides many of the author's own making, like the absurd miswriting of the name of Amenhotep IV. both in hieroglyphic and transliteration (IV. 118). But the reader can best judge of these if he notes that the Tanite king, known to the Greeks as Smendes, appears in this work as "Nes-ba-Tetet," "Nes-ba-neb-Tet," "Ba-neb-Tet," and "Nes-ba-Tet" (VI. 1, 4, 7); and the Egyptian name of Cambyses is now "Ra-mesuth" and again "Mesthu-Ra" (VII. 42, 45); although there is but one correct form for each of these two names.

The English of the work, like the method employed, is loose. I cannot forbear quoting a remarkable passage regarding the inscription set up at the southern boundary of Egypt by Userthesen III.: "It prohibited every negro from passing that spot, whether by sailing down the river or marching along its banks, as well as the passage of all oxen and sheep and goats and asses, except such as were engaged in the traffic in cattle, and such as had need to come to Egypt for the purposes of barter and of business generally" (III. 36-37).

The work is very fully illustrated, presenting many unpublished monuments, some of them of great importance. For the publication of this material every student of Egyptian civilization will be grateful to the author. The monuments of the earliest dynastic as well as of the predynastic period from the rich collections of the British Museum, thus made accessible to the public, are especially valuable. The statue of Apet (II. 5), dated by the author in the archaic period, is a forgery and was made for one of the mudirs of Upper Egypt.

While severe strictures upon the author's method have been necessary, there are respects in which the work will prove very useful. The account of the successive excavations which have brought us our knowledge of the earliest dynasties; the attempt to furnish a complete list of all known royal names; the insertion of Moslem sources on the former state of the monuments; and the full citation of classic sources, where a proper translation has been employed, all these will be very convenient for ready reference. It is much to be regretted that the service rendered by the author in these particulars should be obscured by the defects to which so much attention has so unavoidably been given above. Finally it should be added that the typography of the volumes is good and that misprints are rare.

The House of Seleucus. By EDWYN ROBERT BEVAN, M.A. (London: Edward Arnold; New York: Longmans, Green, and Company. 1902. Two vols. Pp. xii, 330; viii, 333.)

OF making many Greek histories — *in usum scholarum* — there is no end. The beaten track is become a very boulevard from the Plain of Troy

to the field of Chæroneia; and then — the jungle. Now and then we have the story of greater Greece from the hand of a master like Grote; but the historian of Athenian democracy had no heart for the plunge from the city-state to the world-empire. He had no use for "that non-Hellenic conqueror," "who, though not a Greek, had become the master of all Greeks"; and it is but coldly and under protest that he follows him and his spurious Hellenism into Asia and drops anchor for good and all in "that gulf of Grecian nullity which marks the succeeding century." Among English historians of Greece only Thirlwall, whom nobody now reads, has taken the larger and juster view of his subject; and, if the modern student is coming to see that it was not all over with Greece when Demosthenes ended his own life at Calauria, it is mainly due not to the formal histories, but to Mahaffy's suggestive and discursive studies. While these do not constitute, they may at least inspire a definitive history of Hellenism — not in the narrow sense nor within the narrow limits of Droysen, but a fresh and exhaustive survey of the whole wide field of Grote, Droysen, Mommsen, and Finlay.

In our own time archæology has been writing new and brilliant chapters for the very opening of such a history — at Troy and Mycenæ and Knossos; and now the explorer is pushing into the more forbidding jungles of the east. With his second volume Niese has brought his *Geschichte der griechischen und makedonischen Staaten* down to the death of Antiochus III. (187 B. C.), and Kaerst's first volume (*Geschichte des hellenistischen Zeitalters*) covers the life of Alexander; while Adolf Holm's fourth volume undertakes "to describe for the first time the whole course of Greek life and thought in Europe and beyond the Mediterranean, from the death of Alexander down to the battle of Actium." And now comes Mr. Bevan on a line of his own — that of segregating the youngest of the Diadochi and following the fortunes of his house to the finish. In his own words, he "sets out to illuminate . . . the work accomplished by the dynasty of Seleucus in its stormy transit of the world's stage two thousand years ago." It is no fault of the illuminator if the light sometimes fails and oftentimes barely serves to make the darkness visible; and he has certainly economized the last ray that could be wrung from the sources within reach. To a mere annalist the case would be desperate, but that is not Mr. Bevan's quality; to him, as to us, the house of Seleucus is chiefly important not in its external fortunes, but because it was under its ægis that Hellenism struck roots in all lands from the Mediterranean to the Pamir.

It is indeed an illuminating as well as a noble chapter on "Hellenism in the East" with which our author begins his work. Hellenism was the product of the Greek city-state, whose achievement it was to bring freedom and civilization into union; it implied a certain type of character — that of the free man dominated by duty to the state — and it implied a certain cast of ideas, for this duty-bound freeman lived in an atmosphere of debate and habitually referred all things to the standard of reason and reality. Yet a great part of Hellenism, once developed, —

the body of ideas, of literary and artistic tastes — was communicable to men who had not themselves lived under those conditions. Before the end of the fourth century it had leavened Macedonia and followed Alexander's flag to the ends of the earth; and long after the conqueror's death the ruling powers from the Balkans to the Indus continued to be Greek in speech and mind. Then Rome, the real successor of Alexander, having itself taken all the mental and artistic culture it possesses from the Greeks, steps in to maintain the supremacy of Greek civilization in the east. Hellenism, however, had still to pay the price. The law of ancient history was inexorable: a large state must be a monarchic state. Rome in becoming a world-power became a monarchy. Thus, thanks to despotic kings — first Macedonian, and then Roman — Hellenism is carried far beyond its original borders: the vessel is broken and the long-secreted elixir is poured out for the nations. And the old leaven is still working. "What we call the Western spirit in our own day is really Hellenism reincarnate. . . . All through the chaos the seeds of the old culture were carefully nursed. . . . Men at the Renaissance took up the thoughts of the Greeks again where they had dropped them." "The civilization which perished from India with the extinction of the Greek kings has come back again in the person of the British official." But "Hellenism has as yet had very little time to show — what it can do" — say, in Manchuria!

We have tried to summarize this chapter because it gives the author's key-note; and, for a translator of *Æschylus*, his point of view is sufficiently modern. The second chapter, on the "Physical Environment," in a way recalls Ernst Curtius, as does the painstaking topography of the whole work; yet we miss Curtius's vivid autopsy. Following these general chapters, the author proceeds to narrate "the series of events that led up to the virtual conquest of the whole heritage of Alexander by Seleucus" (Chaps. III.–VI.); next he traces the history of his successors down to the assassination of Seleucus III., in so far as that history is concerned with Asia Minor (Chaps. VII.–X.); and then takes each of the other provinces — Syria, Babylonia, Iran, India — in turn to see what can be gleaned of its life under these Hellenistic kings (Chaps. XI.–XIV.). The plan is hardly an ideal one, though we cannot quarrel with Mr. Bevan for not constructing an orderly history out of the scraps at his command; but one may wonder that, having picked up the dropped stitches, he does not seize the moment of Seleucus's fate — leaving his empire apparently in the throes of dissolution — to bring his first volume to a close, instead of running on a chapter on the "First Years of Antiochus III."

Thus the second volume would gain a completeness and unity impossible in the first. There is the long reign of Antiochus the Great — twenty years of incessant fighting that wins back well-nigh all that his father and grandfather had lost, until Rome takes a hand, and a decade later the hundred years' struggle of the house of Seleucus for Asia Minor ends with the practical annihilation of the king's army by Scipio at

Magnesia (190 B. C.) ; and the empire, which had almost been the empire of Alexander, shrinks to a kingdom of Syria (Chaps. XV.—XXI.). Henceforth, the plot has but a single thread, and that is cut short when Pompey appears as conqueror in Syria to settle its affairs in the name of Rome, and the kingdom of the house of Seleucus is come to an utter end (64 B. C.). But not the house ; the kings of Commagene boasted its blood, and one of them — without a throne but still calling himself king, though he had been a Roman consul and was then an Athenian citizen, enrolled in the deme of Besa — set up at Athens as late as 115 A. D. the well-known monument of Philopappos.

Reckoning from "the year of the Greeks" (312 B. C.) — when young Seleucus, whom we have seen slipping out of Babylon four years earlier and riding for his life with fifty horsemen to Egypt, routs Demetrius at Gaza and reestablishes himself as master in the house of Nebuchadnezzar — until Philip II., and with him the house of Seleucus, finally disappears (56 B. C.), the era of the Seleucids comprises more than a quarter-millennium, and the fortunes of the house touch every height and every depth. Here is room and verge for the historian ; and, withal, temptation to let fancy range where fact is not forthcoming. But Mr. Bevan is no romancer : he frankly tells us when the light goes out, and yet from point to point he holds fast his clue. Thus to illustrate at once his frankness and his force :

For us a great cloud comes down upon the contest. History has mainly forgotten it. We can only see dim glints of armies that sweep over Western Asia, and are conscious of an imbroglio of involved wars. But we can understand the stupendous nature of that task which the house of Seleucus set itself to do — to hold together under one scepter against all the forces which battered it, forces stronger than any by which the Achæmenian Empire had ever been assailed till the coming of Alexander, against all the elements of disruption which sapped it within, the huge fabric built up by Seleucus Nicator. It was a labour of Sisyphus. The Empire, a magnificent *tour de force*, had no natural vitality. Its history from the moment it misses the founder's hand is one of decline. It was a "sick man" from its birth. Its construction occupied the few glorious years of Seleucus Nicator, its dissolution the succeeding two and a quarter centuries. Partially restored again and again, it lapses almost immediately into new ruin. The restorations become less and less complete. But it does a great work in propagating and defending Hellenism in the East till the advent of Rome (I. 75ff.).

While candor and sobriety are the chief notes, and the resultant sketchiness and inequality of treatment make but dry reading, these pages are brightened by many a sunburst — as when our author tells over again Polybius's story of the betrayal of Achæus (which General Funston's biographer should not fail to read); or Demetrius's escape from Rome, after the same first-hand authority; or Antiochus's benevolent assimilation of the Jews — "the little people" who had hitherto "dwelt separate in their hill country and, while wars rolled past them and king-

doms clashed and changed, nursed the sacred fire and meditated on the Law of the Lord."

In the present state of knowledge, with literary sources mainly at second-hand and scrappy, while over most of the territory in question where the monumental sources lie buried the archæologist has not yet broken ground, no definitive history can be written; but Mr. Bevan has done good work in this fore-study of what must ultimately take its place as a notable chapter in the great history of Hellenism. Should the book ever come to a second edition, which is hardly probable, it would be the better for two or three "helps": first, a chronological table like that prefixed to Mahaffy's *Greek Life and Thought*; second, side-notes such as make Grote's *History* and many subsequent works doubly useful and usable; and third, some such digest and critique of authorities as Holm appends to his chapters. The three maps are fair and the plates excellent, presenting a fine series of Seleucid portrait-heads on forty-six coin types.

J. IRVING MANATT.

Augustus: The Life and Times of the Founder of the Roman Empire.

By E. S. SHUCKBURGH. (London: T. Fisher Unwin. 1903. Pp. x, 318.)

Augustus Cæsar and the Organisation of the Empire of Rome. By JOHN B. FIRTH. [Heroes of the Nations.] (New York and London: G. P. Putnam's Sons. 1903. Pp. xvi, 371.)

"AUGUSTUS," says Shuckburgh, "has been much less attractive to biographers than Julius; perhaps because the soldier is more interesting than the statesman; perhaps because the note of genius conspicuous in the Uncle was wanting in the Nephew." Firth, after remarking that to his knowledge no biography of Augustus had yet appeared in English, suggests that "the reason of this apparent neglect may be found in the circumstance that his character is one of the most puzzling in antiquity. The Emperor Julian compared him to a chameleon; Augustus himself signed his State papers with a ring bearing the device of a Sphinx. Both the man and his work remain 'a contradiction still'; theory and practice in his case persistently refuse to be reconciled; one can hardly feel quite sure at any given point in Augustus's life that one knows exactly what he had in mind." Perhaps a still better reason is that the biographer finds extremely little to add to the historian. Firth and Shuckburgh enter a field which has already been well cultivated; historians like Merivale, Schiller, Herzog, and Duruy, whose works include the reign of Augustus, have dealt creditably with the subject, and each in his own way has solved, or attempted to solve, the sphinx-riddle. In approaching these two recent biographies, therefore, we may look for little that is new; but we shall not be disappointed in expecting to find the old material put into a fresher and more convenient form.

The compass of the two works is nearly the same, Shuckburgh treating the subject with somewhat greater detail. After devoting a few pages

to the childhood and youth of Augustus, both writers proceed to narrate his public career — in other words, to write the history of Rome during his lifetime. This treatment includes the condition of Rome and the Empire at the death of Julius Cæsar, the political struggles and the civil wars from 43 to 31 B. C., the organization of the imperial government, the provinces, the chief events of the reign of Augustus, his patronage of literature and religion, his family affairs, and his character. As little is known of his motives and feelings, the treatment must be to a great extent impersonal. Lacking therefore the essential feature of biography, a life of Augustus can hardly be more than a chapter from Roman history. For this condition of their subject, however, Firth and Shuckburgh are in no way responsible.

Characteristic of the present trend of opinion is the attitude of these two authors toward the revolution from Republic to Empire. Shuckburgh and Firth are in thorough sympathy with Julius Cæsar and his work; they have no love for the oligarchs, whose mismanagement made the revolution necessary. Though Cicero naturally suffers along with the oligarchs, he is a far better and abler man than he appears to be in Mommsen's history; he is "the great man" (Shuckburgh), "the patriot statesman — and with all his faults no Roman better deserved that honourable name" (Firth). Young Octavius falls heir to the sympathy for Julius felt by the biographers. They fully appreciate his ability and especially his inborn talent for intrigue; and they follow with admiration his early career, without attempting to make black white, or to deny or excuse his cruelty in the proscriptions of 43 B. C.

One of the most interesting and most extensively discussed subjects connected with Augustus is the character of his government. Whereas earlier writers had uniformly described the government of Augustus as "a monarchy disguised in republican forms," Mommsen declared it to have been a dyarchy — a division of authority between the Senate and the prince —, and his view is now accepted by most scholars, who apply it with more or less consistency to the treatment of the early Empire. But Shuckburgh, after mentioning this view, insists that Augustus was really "a monarch, whose will was only limited by those forces of circumstance and sentiment to which the most autocratic of sovereigns have at times been forced to bow." Firth, following the present trend of thought, says of Augustus:

His great aim was to graft the Principate upon the Republic. He did not wish to uproot the old tree and plant a new one; his desire was to furnish the old tree with a new branch, which should be the most vital of all its limbs. In the constitution were many magistracies; he added yet another. If it was one of extraordinary scope and power, the justification was that the times required it.

Though the magisterial powers of the prince were vast, the government was not for that reason a monarchy pure and simple. It was still a republic in the theory expressed by Augustus and accepted by the Senate; but in fact the term dyarchy aptly applies to it because of (1)

the division of the Roman world into Italy and the Empire, each with peculiar administrative principles and machinery; (2) the division of the Empire into senatorial provinces and imperial provinces; (3) the two treasuries; (4) the two sets of officials. But Firth supposes that the dyarchy fell at the accession of Tiberius, if not before, whereas writers generally continue it to Domitian or even to Aurelian. For the right understanding of this subject it is advantageous to separate the arbitrary acts of the emperors from the legitimate working of the constitution. This discrimination is necessary, especially as the period of the early Empire was one in which usurpation and tyranny were easy.

The final chapter of each book is devoted to the great enigma — the character and aims of Augustus. Firth minutely analyzes the first emperor's character; Shuckburgh, avoiding detail, finds space for a brief estimate of the intimate friends of Augustus. Firth, more ready than Shuckburgh to accept the gossip of Suetonius, discovers in the emperor a combination of loose morality and asceticism. Both authors, while bearing in mind the hypocrisy of his position, rightly appreciate the substantial nature of his achievements. Firth says in conclusion:

He knitted together the Roman world, east and west, into one great organisation of which the emperor stood as the supreme head. He set his legions upon the distant frontiers and their swords formed a wall of steel, within which commerce and peace might flourish. . . . Augustus started the Roman world on a new career. He made it realise its unity for the first time. That was his life-work, and its consequences remain to this day.

On the whole, Shuckburgh treats the subject more objectively, and is perhaps a little more careful in his statement of facts, though Firth's book will doubtless prove more interesting to the general reader. Both writers, however, are attractive as well as scholarly, and their works will certainly be helpful to all who are interested in Augustus and his age.

GEORGE WILLIS BOTSFORD.

An Introduction to the History of Western Europe. By JAMES HARVEY ROBINSON, Professor of History in Columbia University. (Boston: Ginn and Company. 1903. Pp. x, 714.)

In the opinion of the writer this is the best manual of general European history which has yet appeared in English. And the reason for Professor Robinson's comparative success in the impossible task of compressing into seven hundred readable pages a clear account of the chief events and movements of European history from the barbarian invasions of the fifth century to the formation of the kingdom of Italy and the German Empire appears to be the consistent application to his task of two principles — omission and emphasis. Mr. Robinson has proved the sincerity of the opinion expressed in his preface, that most elementary manuals of history mention too many men and too many facts, and has avoided producing a book which by expecting the student to learn too much runs the danger of teaching him nothing. The author's omissions

are a relief to the teacher. He has secured his emphasis upon the chief events and personages by expansion, which is the surest method. An extremely attentive student will remember that a thing is important if he is told that it is; a very acute student, diligent or lazy, will find out the important things in a book or a lecture for himself; but the average student is not apt to be extremely attentive or very acute, and instinctively judges the relative importance of different parts of any extended course of instruction by the time or space given to them. It is necessary of course to train students away from the habit of mental relaxation which produces this instinctive judgment, but Mr. Robinson is wise to take full account of the general attitude of the average mind and to expand his narrative when he comes to movements of such capital importance as the schisms of the sixteenth century and the French Revolution.

The insistence upon personality by careful and comparatively full accounts of the character and work of the chief actors in the story of western Europe is also an advantage of this manual. In giving historical instruction it is wise to emphasize great men, because they make the ages in which they live and also because they are made by them. It is doubly wise to do this in elementary instruction, because to personify causes and effects in a character which is both result and agent is often the easiest way to make a small amount of information about them understandable and memorable to the average mind.

The most marked advantage which this book has over its predecessors is that it gives a proper amount of space to the history of the Church. The writer makes clear that the life of the men of the middle ages was largely dominated by the nature of their religion and complicated by the organization of the Church to which they all belonged. He appreciates the difficulty which American students have in understanding a religion organized in a form which gave to churchmen many of the functions we think of as belonging to the state. No other text-book, so far as the writer knows, makes this side of the life of the middle ages so clear. It seems, however, that Professor Robinson has failed to make sufficiently plain the corruption of the Church, not only in its members, but in its head previous to the reforms of the eleventh century. Although he is quite right in suggesting that it is possible to emphasize too much its corruption by failing to insist upon the usefulness which kept it alive even in the ages of debasement. It would appear also that some mention should be made of the monastic reforms which preceded the reform of the papacy, and of the great influence of monks in restoring the ideal of the vicar of Christ. It would also have been well to define the right of sanctuary and its relation to the civil law. Mention of the ascetic ideal and its relation to monasticism should not have been omitted. The relations of the Church and the Empire, as the main thread of the narrative, would more naturally precede the accounts of the development of the French and English monarchies and serve as a sort of chronological scale against which the student could easily make cross-sections, so as to synchronize in his mind the events of the different lines followed in dif-

ferent chapters. In general the writer would suggest a little stronger emphasis on chronology. Parallel tables of kings, emperors, and popes, with the important names used in the book printed in larger type, might be useful. And a simple continuous list of dates of the events and personages mentioned, like the list of dates in Freeman's little handbook of European history, would be an advantage. The backbone of a beginner's knowledge of history is chronology in the sense of the order of succession; and the dates a student learns and forgets do him a large amount of good. Forgotten information is one element of culture.

The chief defect of the book is an exaggeration of one of its merits. The instructor who handles it must be on his guard against the danger of leaving a vague impression on the pupil's mind. Conditions during past ages—that is what we need to know of course; but the beginner before he can understand conditions must first know what has happened and when it happened. Mr. Robinson could have improved his book by trying somewhat more to show conditions by relating events. The dramatic instinct with all its danger of perverting truth is a thing to be used in the teaching of history.

The English of the book is commendable, though there are evidences of haste in an occasional clumsy arrangement of dependent clauses, sometimes amounting to squinting construction. There are a few instances of vagueness, such as, "The gradual bettering of conditions was due chiefly to general progress," etc. — which might mean almost anything. And there is an occasional expletive use of such adjectives as fair, brave, doughty, wonderful. The author has a way of mentioning by anticipation persons and things not yet explained, which would be confusing to some students and is no real gain. And it might be suggested that the book would be stronger if the author omitted most of the general paragraphs which foretell what he is going to say. The space thus gained could be used for some things that would strengthen the narrative. For example, the Hohenstaufens are brought very abruptly upon the scene in the person of Barbarossa. It might be well to suggest briefly where they came from. The history of Sicily is given in two foot-notes. The only mention of the Swiss confederacy is in a page of retrospect at the beginning of the account of Zwingli's schism. Whether the author thinks that those particular things ought to go in or not, certainly there are historical facts more important than some of his general paragraphs, which are repeated in the narrative in more impressive form. The scale of the narrative is one of the strong points of the book. But occasionally the author is not quite up to his own high standard in maintaining it. For example, the account of the German schism is in places expanded in a way which in so very condensed an account amounts to repetition, *e. g.* page 399 compared with page 409. And, on the other hand, the entire settlement of the *modus vivendi* in Germany and how it came about is condensed into a page. It might also be said of the admirable account of the French Revolution, that in one or two places the author gives too many details for the scale of his narrative. But all these are comparatively slight defects in a strong piece of work.

The illustrations are not entirely successful. The cathedral doors on page 342 are too small to show what they were intended to show. One or two compartments from each, enlarged, would show it better. And many of the portraits are so poor that it would be far better to omit them.

PAUL VAN DYKE.

The Arab Conquest of Egypt and the last Thirty Years of the Roman Dominion. BY ALFRED J. BUTLER. (Oxford: Clarendon Press; New York: Henry Frowde. 1902. Pp. xxxvii, 563.)

THERE are few periods in Mohammedan history so obscure as the years during which the conquest of Egypt took place. This is the more surprising in view of the completeness in detail of what has been handed down to us concerning the life of the founder of the new faith and the early years of its upbuilding. Even where Mohammedan annalists disagree and contradict each other, a little acumen and some historical discernment enable us to unravel the skein. The one great exception is Egypt. Here the primal facts are disputed and the leading dates uncertain. This may be due to the fact that very few of the classical and Arabic authorities who wrote on Egypt or who mentioned events occurring there really knew much about the country itself; the earliest Arabic writers lived a hundred years after the conquest; and the most learned of them, such as al-Makrizi, al-Suyuti, and Ibn Dukmak (all of the fifteenth century) are more topographers than historians; and the sources from which they drew were already in their day much troubled. The lacuna might have been filled by the works of Coptic writers; but only a small part of this literature has come down to us. The publication by Zotenberg in 1879 of the chronicle of the Coptic Bishop John of Nikiu, a good and reliable account of one who was born just a little too late to be an eyewitness of the conquest itself, is the foundation-stone upon which every reconstruction of this history must be built. Unfortunately it has come down to us incomplete and muddled and only in an Ethiopic version. Mr. Butler laments "the slightness of his acquaintance with Arabic," a circumstance which might have worked havoc with one who has had to deal so much with Arabic authorities, did not translations abound as well as helpful translators. And withal, Mr. Butler has occasionally slipped. The great historical work of Tabari he knows only from Zotenberg's French translation of the Persian rendering; otherwise he would not say (p. 326) that the treaty of Amr with Alexandria is only known from the Tabari quotation in Ibn Khaldun. Even one who runs may read it in the Leyden edition, Part I., p. 2588. Nor would he say (p. 66) that according to Tabari the Persian king Chosroes "issued an edict allowing the Christians in his dominions to restore their churches and to make converts of the Magians if they could." The text reads, "to restore their churches and permitted any one to go over to their church who wanted to do so, *except the Magians*"; which is much more intelligible as, according to Zoroastrian teaching, apostacy was punished by death (Nöldeke, *Geschichte der Perser und Araber*, 287). The date

of Mohammed's letters to the various rulers is not 627 but 629, as is seen from the succinct account of Ibn S'ad, published and translated by Wellhausen in his *Skizzen*, IV. 97. That the future conqueror of Egypt, Amr ibn al-As, was sent by Mohammed with a letter to Oman, is mentioned not only by Ibn Ishak (Butler, p. 140, note 1) but also by Ibn S'ad; though not in the year 6 but in the year 10 (Wellhausen, IV. 102; VI. 25). On the whole, the latest German authorities who have written on Arabic history, such as August Müller, Nöldeke, and Wellhausen, are not cited by Butler. Certainly they do not, nor does Lane-Poole, deserve to be included in the sweeping condemnation of past historians in which Mr. Butler indulges. The work before us would not have turned out so voluminous, had not the author undertaken in many places to kill flies already dead.

But these are petty criticisms on the whole, and must not blind us from a full appreciation of the splendid piece of work which Mr. Butler has done; even though many of the arguments for his theses cannot be accepted without much reserve. He has gone into a most detailed examination of even the most minute points, and has certainly said all that can be said to-day upon the subject. His work is especially valuable as it presents a logical and connected history of all the events that led up to the conquest as well as of the conquest itself. It has usually been held that before the actual invasion of Egypt the country was laid under tribute to the Arabs by Cyrus for three or more years; that the refusal of the tribute by Manuel occasioned the invasion; that Mukaukas, who was a Copt, sided with the Arabs and rendered them every assistance; and that Alexandria after a long siege was captured by storm. It has been long known that the revolt of Manuel occurred several years later (645) and preceded the second capture of Alexandria. Butler's main point is to prove who this Mukaukas was and what rôle the Copts played during all this period. The personality of the man who played so large a part in the defense, or rather the betrayal, of Roman Egypt has always been the subject of the extremest doubt; even Wellhausen, in his latest works, is uncertain. Butler's identification of him with Cyrus, the Chalcedonian patriarch and viceroy of Heracleus, the oppressor of the Copts for ten long years, will probably command the assent of all serious students. That Egypt surrendered without a blow is a myth that has long since been dispelled; but the picture of the stubborn resistance which it offered is brought out effectually and learnedly by Butler. Whether the Copts remained entirely as indifferent to the coming of the Arabs as our author makes out is however open to some doubt. Mr. Butler seems to hold a brief for the Copts. And no doubt they have in the past been much maligned; but it is going too far to say that they remained entirely passive at both the Persian (616) and the Arab invasion. John of Nikiu, upon whose statements this idea rests, concedes that the Copts did aid the Mohammedans, though he says that this was only when the enemy had taken possession of the Fayum (p. 211). They had been forced within the pale of the established church (p. 252); and they

openly sided with the Arabs when Alexandria revolted (p. 471), even making a regular agreement with them until Alexandria was recaptured (p. 480). This does not look like entire passiveness; and we can well understand how they looked for some relief in the coming of the Arabs, preferring men of a strange faith to their own who had treated them so harshly. There is, however, no evidence that in the beginning they took up arms against the former overlords.

One of the most interesting of Butler's chapters (XXV.) deals with the library of Alexandria. No scholar to-day seriously believes that the Arabs would have been guilty of such a sacrilegious burning of books; but it is well to have the baselessness of the historical evidence for this sacrilege placed so clearly before us; its first circumstantial mention being in Abu al-Faraj, a Christian author of the late thirteenth century. Abu al-Faraj did not invent it; he invented nothing. Some such report must have been current, as it is found also in Abd al-Latif (1200), Abu al-Fida (1273-1331), and al-Makrizi (1365-1441); but for five centuries after its supposed occurrence no mention is made of it by either Christian or Mohammedan writers.

The special student of Mohammedan history will, however, hardly agree with Butler's relative estimates of the character of the Calif Omar and the conqueror of Egypt, Amr. The calif was anything but greedy (p. 459), as Butler, relying upon a sentence in al-Baladhuri, says. He was of a rugged and almost superhuman simplicity, as may be seen in the many traditions about him gathered by Tabari, or in the excellent sketch of his life quite recently published by Sachau ("Über den zweiten Chalifen Omar," in *J. B. der K. Preuss. Acad.*, 1902, xv.). His one and only thought was the state exchequer; and his somewhat harsh treatment of Amr was due to the fact that the latter was too strong a helpmate and too probably an opponent (Wellhausen, *Das arabische Reich*, p. 30). The later history of the califate shows how well-founded was this fear of successful generals in distant countries.

RICHARD GOTTHEIL.

Development of Muslim Theology, Jurisprudence, and Constitutional Theory. By DUNCAN B. MACDONALD, M.A., B.D. (New York: Charles Scribner's Sons. 1903. Pp. xii, 386.)

PROFESSOR MACDONALD calls attention in the modest preface of this little volume to the lack of any text-book upon the subject of Muslim law and to the difficulties in the way of a student attempting to supply the need. No one with the slightest acquaintance with Arab history and institutions will fail to sympathize in his description of the obstacles to an effort to render this complicated subject clear to "non-Arabists," but the author should be warmly commended both for his devotion to a task which no older scholar has been heretofore willing to undertake and for his success in its execution. The book is, as the title suggests, divided into three portions of unequal length. The fact that the first, on constitutional development, is named last on the title-page suggests the conclu-

sion that Professor Macdonald means to lay least stress upon this phase of his subject ; if so, his resolve will be a disappointment to the historical students who look to these pages for such enlightenment as a trained scholar in Islamic literature and philosophy can furnish upon its structure and political history. After a concise but admirable account of the famous constitution of Umar — whose more familiar name of Omar the purists are not likely to change for English readers — under the Republic, he concludes its downfall and the development of Empire under the Umayyads to be due to political and not to social-economic causes. It would be difficult to show this, though the first step in the progress, the elevation of Uthman to the califate was of course the result of political intrigue. But above all rivalries of sept and sect was the inevitable tendency of the victorious Arab state, when once convinced of its mission, to establish itself in some capital which would control the great trade-routes and renew the empire of either a Darius or an Alexander. It was natural that Muawiyeh should renew the latter's ambition in Syria, where the Umayyad influence was supreme and where the worth of the Roman domain around the Mediterranean visibly affected the Arab imagination. But when the attempt failed within the space of a century, the clan that had tried and lost succumbed in civil war to another which reestablished the Achæmenid empire with very passable and enduring success. Islam as a governing instrument must have under these circumstances been influenced first by Hellenic and subsequently by Persian ideas. Their extent and prevalence are not, however, made as evident in the first portion as the historical reader might wish. It is interesting to note that so good an observer of the Muslim of to-day as Professor Macdonald agrees with certain English publicists in sounding the alarm over the reforming and puritanic Brotherhood of as-Sanusi which "for years has gathered arms and munitions and trained men for the great Jihad" against Europe.

The part of this work devoted to jurisprudence makes the inextricable interlacing of Church and State in Islam more clearly apparent. To be a statesman in the Muslim world means also to be a jurist and theologian ; their law "takes all duty for its portion and defines all action in terms of duty. Nothing can escape the narrow meshes of its net," and the captions of a typical law-code translated in the appendix furnish suggestive testimony to this statement. Mohammed's own contribution to the legal system of Islam is called the only legislation it has ever had, and this was of the most fortuitous sort. After his death began a process of arranging and correlating such decisions as were found in the Koran or remembered by his companions, and when these failed recourse was had to the common-sense of the judge. A certain sanctity attends the decisions of the first four califs that renders them hardly inferior to the Traditions or to the divine Word itself. But sticklers for the law and tradition of this narrow sort were inevitably overwhelmed in the tide of conquest during the first century after the hegira by the necessities of erecting a complete and stable system of justice for a vast empire. From the courts in Syria, which were allowed to continue until the conquerors

had learned their lesson, Muslims acquired the fundamental principles of Roman law, the parent law of the world, while a natural process of further development was secured in the "opinions" of those speculative Muslim lawyers whose *Responsa* came presently to represent equity in its strict sense. It was not until the Abbasid period that the canon law of Islam was practically completed and made, like that of the Roman church in Catholic states, the law of the land. Then arose the inevitable struggle between adherents of usage and of tradition; and the consequent schools and parties all closely intermingled with subtleties of theological speculation, of which indeed they were necessarily a part. For clear and logical presentation in brief space this explanation of Muslim law has no equal in our language.

Into the obscure and difficult subject of Muslim theology, occupying nearly two-thirds of the book, there is no need to enter here. The volume is a much-needed and welcome addition to the scanty materials for an understanding of Islam by English readers.

FREDERICK WELLS WILLIAMS.

Mediæval India under Mohammedan Rule (712-1764). By STANLEY LANE-POOLE, M.A., Litt. D., M.R.I.A. [The Story of the Nations.] (New York: G. P. Putnam's Sons; London: T. Fisher Unwin. 1903. Pp. xviii, 449.)

THOUGH some might question the propriety of calling the millennium which ends with the nineteenth century the middle ages of so long a history as that of India, there can be no doubt of its convenience as an easily defined period for treatment in an historical series. Professor Lane-Poole would probably be among the first to concede that the romantic adventure of Mohammed Kasim in Sind was no real beginning of Islam either as cult or government in India. Mohammedan rule was not effectively established there until three centuries later, and then only slowly and in part. As a prelude, however, suggestive alike of Arab daring and defects, this raid is properly enough a portion of the story of Mohammedan India. The first book of the three into which this volume is divided concludes with an account of the successive onslaughts from Afghanistan during the eleventh and twelfth centuries, and the ultimate conquest of the Ganges basin; the hundred pages of Book II. are devoted to the various dynasties ruling from Delhi as their capital during three centuries; while the remainder of the volume, more than half, describes the Mogul Empire. For the purposes of an historical sketch designed for general reading this grouping is highly satisfactory. It emphasizes adequately the successive stages in a long process of subjection and imperfect assimilation, leaving out of view a multitude of minor occurrences, but making clear the great personages whose achievements and characters fashioned the course of events.

Like most students of oriental history, the author—who is in the very first rank of these—frankly estimates the account of this period as "necessarily more a chronicle of kings and courts and conquests than of

organic or national growth." It is preëminently the view of Asiatics themselves, who have of course been the furnishers of most of our sources on their own history. But it may yet be found as true of Asia as of Europe that outside of or, rather, behind the wars and vanities, the traits and ceremonies of the leaders, a society is apt to be directed in the long run by habits and desires of its own. These may not attain definite institutional shape, yet they are factors of growth quite apart from the element of individual caprice. The appearance of Mamelukes and slave kings in Egypt as in Hindustan is an instance of the working of an institution, not of an accident. In societies which are ever demanding chiefs who control, the slave system in the east tends to produce great men. As the author observes in his study of Saladin, "a slave is often held to be better than a son. The great slave vassals of the Seljuks were as proud and honorable as any bastards of Mediæval aristocracy; and when they in turn assumed kingly powers they inherited and transmitted to their lineage the high traditions of their former lords." Other examples might be adduced.

It is, nevertheless, as a portrayer of the individual that Professor Lane-Poole succeeds best in this as in some of his other books. He is the master of an excellent English style, and has strong human sympathies and an eye for the picturesque combined with full knowledge of his subject. There need be no disparagement in adding that this knowledge was presumably complete enough for him to construct a book like this almost offhand. To one of his scholarship, whose monographs on Baber and Aurangzib in Hunter's "Indian Empire Series" have exhibited also a good perception of historical method, fresh and special studies for such a work would be even excessive. But the result—whatever the preparation—is one of the most graphic, trustworthy, and best sustained volumes in this long and generally creditable popular series. In such sketches as those of Balban, Ala-ad-din, or the terrible Taghlak, in the earlier portion of the book, the typical Asiatic war-lord and executioner is painted with rare appreciation and vigor, while each of the Great Moguls is given space sufficient for us to realize in what the glory of that extraordinary half-dozen consisted. The author is singularly lenient with some matters usually condemned, such as Mohammed Taghlak's wild experiment with his brass tokens; possibly his numismatic learning may account for this as for the numerous coins portrayed throughout these pages; but we should have expected him to deal more severely than he does with the drunken Jahangir and the religious vagaries of Akbar. The numerous illustrations, mainly from architectural photographs, add appreciably to the value of a most readable book.

FREDERICK WELLS WILLIAMS.

The Papal Monarchy, from St. Gregory the Great to Boniface VIII.
(590-1303.) [The Story of the Nations.] By WILLIAM
BARRY, D.D. (New York: G. P. Putnam's Sons; London:
T. Fisher Unwin. 1902. Pp. xxii, 435.)

As indicated by the title and the dates, this work aims to emphasize one great phase of the history of the Christian church, the papal monarchy succeeding the Roman Empire and becoming for two thousand years the teacher and guide of barbarous and dismembered Europe, and forming a Christendom. It is that portion of church history when the papacy in addition to its original and necessary attributes assumed, and to a considerable extent maintained a temporal overlordship in western Europe. This began in some sort with Gregory the Great, and with the defeat of Boniface VIII. by the new national power in France the "temporal power, in this magnificent application of the word, has passed away." Setting forth in the first two chapters with considerable clearness and force the beginnings of papal history and the scope and purpose of the book, the author does not fail in many places thereafter to point and emphasize his theme; his knowledge of church history through the best authorities is abundantly apparent; and a general air of scholarly fairness and reserve is found throughout. Despite this the book as a whole is unsatisfactory; it tends to confusion. For a person with small previous knowledge of European history it would be of little value; for one who has the knowledge there are some valuable hints and interesting points of view, but large portions of the work are of no value whatever. The detail and complexity of papal history, the necessity which the author feels himself under of at least naming every pope and saying a few words about him, the vast number of matters in the history of various European countries that have to be mentioned without possibility of full explanation—these difficulties prove too much for his powers of condensation, selection, and emphasis. The book strongly illustrates the impossibility of a successful treatment of papal history apart from the general history of Europe, especially that of the Empire. A work like this has to take a knowledge of such history for granted; and if a person has that knowledge, he knows inevitably nearly everything that this book has to teach, and he has acquired it in a more natural way; he has escaped a deal of useless detail, has learned the great facts of papal history in their proper relations, and hence has a truer, more vivid, and more abiding conception of them.

The author is constantly emphasizing the fact that the Reformation and Protestantism stand for ideas and tendencies present in Europe in varying degrees all through the middle ages: Becket for England and St. Francis for Europe in general are regarded as delaying the Reformation for three centuries (pp. 277 and 313-314); the Constitutions of Clarendon are likened to Henry VIII.'s antipapal legislation (p. 272); Gerbert of Rheims was "a Protestant and Reformer, some centuries too soon" (p. 175).

In matters outside of church history there are many errors and mis-judgments: Philip of Swabia is spoken of as "usurping his nephew's inheritance" (p. 290); the rights of Magna Carta come "down from old Teutonic customs and precedents" (p. 319); Simon de Montfort "laid the foundations of a free English Parliament" (p. 352); "It was a principle of Magna Charta that the crown could not raise taxes without the consent of Parliament" (p. 398).

A. B. WHITE.

The Cambridge Modern History. Planned by LORD ACTON, LL.D.

Edited by A. W. WARD, G. W. PROTHERO, STANLEY LEATHES.

In twelve volumes. Volume I. The Renaissance. (New York: The Macmillan Co. 1902. Pp. xxx, 807.)

THE first volume of the *Cambridge Modern History* was awaited with much interest, and has been accepted on all sides with evidences of high appreciation. It is truly a work of great compass and erudition. Six hundred and ninety-two pages of text, the contributions in many instances of men of international reputation and acknowledged merit, supplemented with one hundred pages of classified bibliography, are a notable addition to the literature of the Renaissance. We shall be willing to admit, at the outset, that the work has been carefully and accurately done. The most unfavorable judgment that could be rendered would still pronounce it an extensive and valuable collection of material for the better understanding of the Renaissance period; the most favorable view would regard it as a triumph of the art of coöperative historical writing.

The first instalment of the *Cambridge Modern History* comes to hand at a time when much interest is being felt in this subject of coöperative writing; when the results of several enterprises in the past have left the impression that success has yet to be achieved, and the announcements of various projects for the future have given notice that the effort is to be continued under more promising conditions. The editors, in their preface, and Dr. Creighton, in the introductory chapter, have frankly set forth the dangers and advantages of the coöperative plan. On the one hand, the difficulty of bringing the individual contributors into a scheme of harmonious development, and of preserving a just proportion in the arrangement of the several parts, together with the dangers of omission and of duplication, are serious obstacles to be overcome. Against this we have the manifest advantages of a subdivision of labor, with all that this implies, the enthusiasm of specialists, their accuracy, and a certain freshness of style and vigor of touch which comes from an intimate acquaintance with the facts at the outset of the enterprise.

The question arises, how far have the editors succeeded in overcoming the difficulties which have been enumerated? That they have secured many if not all of the advantages claimed for the system is evident. The editors modestly avow their belief "that the present work may, without presumption, aim higher than its predecessors, and may seek to be something more than a useful compilation or than a standard work of reference," that it may be "a narrative which is not a mere

string of episodes, but display a continuous development." Such a consummation would imply, no doubt, the arrival at the point proposed by the coöperative plan. It could be achieved only by a triumph of editorship, such a control and disposition of the coöperating forces as would ensure the welding of the component parts into a complete and harmonious whole. That this has been accomplished we may be permitted to doubt; that a substantial step has been taken in the direction of the realization of the ideal may be admitted. In many earlier series the function of the editorial body has been limited to the selection of contributors, a formal apportionment of the work, and a general censorial supervision. The success of coöperative editing, if it shall ever become an unqualified success, demands something more than this. It demands an editorial activity of the most positive sort, a central power to whose judgment the contributors shall yield, not in questions of historical fact, but on all points relating to the disposition and correlation of material. Such editors, it is hardly necessary to say, are rare. The late Lord Acton, by whom the plan of the *Cambridge Modern History* was "conceived and mapped out," was, by all accounts, such a man. His untimely death, before the task of weaving the several threads of narrative into the fabric he had designed had been fairly begun, was a serious blow, and has left us without means to arrive at a knowledge of the measure of perfection to which the project, in his hands, might have been brought. That his successors have attained to so high a point of success, in what must have been in many respects an ungrateful task, speaks highly for their editorial ability.

In measuring the advance that has been made by the Cambridge volume along the line of coöperative editing, we naturally turn to institute a comparison with two other great series which have attempted to deal in a somewhat similar manner with periods of history more or less parallel. These are the "Oncken series," generally so designated, and the *Histoire Générale*. Of the three sets the *Cambridge Modern History* is by far the most comprehensive. In the Oncken series the whole subject of the Renaissance was assigned to a well-known authority, Ludwig Geiger; in the *Histoire Générale*, where the division of labor more nearly approaches the method of the Cambridge series, the list of contributors includes men whose interest in the main subject is well recognized, as, for example, M. Gebhart, and in the domain of art, MM. Michel and Lavoix. It is a curious fact that of all the contributors to the volume under examination not one has ever been especially associated with the subject of the Renaissance, if we except Mr. Horatio Brown, who is a recognized authority on Venetian history. If it were the purpose of the projectors to prepare a collection of monographs with a view of supplementing our knowledge of the Renaissance, this selection of contributors might prove to be a positive advantage, importing into the accumulated discussion of the subject a certain freshness of view, which would afford an acceptable enlargement of the conventional treatment of the subject. In a history of the Renaissance, however, intended to

be complete in itself, and committed to a scheme of "continuous development," the method is, perhaps, open to criticism.

The work of Ludwig Geiger differs from the present volume in other vital respects. It includes a discussion of the art of the Renaissance, as, indeed, does the *Histoire Générale*; but it is of additional value from the fact that it is abundantly furnished with illustrations, selected in accordance with the severest canons that govern the illustration of historical books. The editors of the Cambridge series stopped short of this, regarding it as an extension of the scope of the work, "which considerations of space compel us to renounce." It is, to say the least, a misfortune that such considerations compelled them to forego the advantage which might have been conserved by the use of maps. It seems late in the day for a great work of general interest to deprive its readers of those additional means of acquiring information that recent invention has made so easily available. Those who use the Cambridge series — and they are likely to be many — will regret that a moderate amount of illustration was not provided for by a curtailment of an immoderate amount of political information.

If we compare the text of the Cambridge *Renaissance* with the text devoted to the same period in the *Histoire Générale*, it will be evident that the former excels greatly in the volume of its facts, the latter in the coördination of facts and in the suggestiveness of its conclusions. In the Cambridge volume a conscientious effort has been made to collect, under the topics treated, all the important facts that are at hand. The *Histoire Générale* is more economical and more discriminating in its selection, while the individuality of the contributor's point of view and the ripeness of his judgment are particularly grateful to the student. Indeed, it seems the habit of the Cambridge book, a habit which it possesses in common with many German historical works, to collect and present the facts, permitting the reader to draw his own generalizations. The French, on the other hand, coördinate the facts, evolve the general idea, which they illustrate with selected instances. Both methods have their merits, and the selection of one or the other will depend upon the class of readers for whose benefit the work is planned.

The arrangement of topics in the Cambridge volume is likely to excite surprise and elicit a variety of opinions. The editors assert that they are not to be tied by the necessities of chronological sequence. No objection can be urged against this determination, provided that the chronological arrangement gives way to something more useful. The usual method of presenting the subject in books on the Renaissance has been somewhat as follows: first, a general review of the political and social conditions of the times; second, the development of what might be termed the spirit of the Renaissance, usually defined in periods of progression; third, the application of this spirit of the Renaissance to the problems and affairs of human life and activity. This is the course which, in a general way, has been pursued by Symonds, Burckhardt, and Villari. It has no special sanction otherwise, and might be set aside at

any time for something better. The Cambridge editors have established a new arrangement. On opening the book the reader is surprised to find Chapters I. and II. devoted respectively to "The Age of Discovery" and "The New World," narrating events which took place at a time when, according to the conventional view of the period, the Renaissance was drawing to a close. Putting chronology aside, it is difficult to conceive of any method of topical treatment that justifies the location, in advance of a discussion of the manner in which the Renaissance spirit arose and became influential, of events that must be regarded as a product of this spirit.

The proportions of the work differ materially from other histories of the Renaissance in the relatively large space given to political history, fourteen out of the nineteen chapters of the book. Of the remaining chapters, Chapter XVI., "The Classical Renaissance," by Professor Jebb; Chapter XVII., "The Christian Renaissance," by Dr. M. R. James; and Chapter XVIII., "Catholic Europe," by Dr. William Barry, in all 120 pages, cover that portion of the work which might be described as treating of the rise and progress of the spirit of the Renaissance. Chapter XV., by Dr. Cunningham, is devoted to "Economic Change," and Chapter XIX., by Mr. Lea, is entitled "The Eve of the Reformation." This overweighting on the side of political history, to the detriment of the intellectual, the social, and the economic, is accounted for by the editors in the statement that the "first volume is not merely intended to describe and discuss the Renaissance . . . but is also designed as an introductory volume, whose business it is, as it were, to bring upon the stage the nations, forces, and interests which will bear the chief parts in the action" (*i. e.* of the series at large). It may be doubted, however, if this sad necessity wholly accounts for the disproportion. Much might be attributed to the insatiable thirst for political facts that is characteristic of the gentlemen in charge of the enterprise, and to their indifference to the more succulent parts of the story of mankind — predilections which have been shown more than once in recent English historical publications, notably in the arid stretches of the "Periods of European History."

The subject of proportion leads to the final query as to whether the volume fairly represents the whole range of interests associated with the Renaissance. "Politics, economics, and social life" are indicated as the chief concern of the series; art and literature are consciously relegated to separate and special works. The reader will soon find, however, that politics has really succeeded in crowding his associates from the tent. Economics, as represented in a chapter of fifty pages, has the advantage of an exceptionally able interpreter in Dr. Cunningham. So far as social history is concerned, no special chapters are devoted to the subject. It is woven, to be sure a meager thread, throughout the chapters on Italy and Spain: a few pages in Mr. Armstrong's chapter on "Florence: Savonarola" (V.); a brief mention of the life of the people in Dr. Brown's "Venice" (VIII.), in Mr. Burd's "Florence: Machiavelli" (VI.), in Dr. Garnett's "Rome and the Temporal Power" (VII.), and

in Professor Tout's "Germany and the Empire" (IX.); in Mr. Leathes's "France" (XII.), and in Dr. Ward's "The Netherlands" (XIII.) something more. Any effort to depict the life and sentiments of the Italian middle class, such as suggested by Burckhardt in his use of Alberti's *Trattato del Governo della Famiglia*, so important for correcting our estimate of Renaissance morality, is wholly wanting. In his "Germany and the Empire" Professor Tout devotes a page (299) to the classes of society in Germany, but his main interest is in the effort for the reform of the imperial administration, which is especially well set forth.

It would be easy to suggest the addition of special chapters the absence of which is a serious limitation. A chapter on the art of war, describing the Condottieri, the rise of the Swiss infantry, the organization of the Lansquenets, the superiority of the Spanish armament, and the suggestions of Machiavelli for the organization of a Florentine militia, would have been in order. More important still would be a chapter on education in the Renaissance. Professor Jebb in Chapter XVI. has spoken briefly of Vittorino da Feltre and Guarino; but the development of a popular educational system in Germany, to which Janssen has so forcibly called our attention, has no representation, although abundant material is at hand in the *Epistolæ Obscurorum Virorum* (to mention one source), for the universities, and in the student autobiographies of the period, for the public schools.

The religious side of the Renaissance is well provided for. Dr. Barry, whose *Papal Monarchy* has been so well received, was a happy selection. In his chapter on "Catholic Europe" (XVIII.) he discusses the attitude of the Church toward the humanistic movement. It is a harbinger of the golden age of historical writing when we discover theological lions and lambs lying down together with impunity. Mr. Lea follows, and brings the book to a conclusion with a chapter entitled "The Eve of the Reformation" (XIX.). Mr. Lea's chapter, although filled with the results of that scholarly research which has won for the author first place in the ranks of living American historians, is disappointing to the student of the Renaissance. It is primarily concerned with the organization of the sixteenth-century church, and only incidentally with the attitude of the humanists toward the religious questions of the day. Of the forty pages which make up the chapter thirty are devoted to the evils of the Church. Of the value of this description opinions will differ. No one will doubt the accuracy of Mr. Lea's facts, but many will be inclined to question the correctness of the impression which the disposition of these facts produces upon the reader. The lurid picture of the vices of the papal court leaves it to be inferred that these vices were something inseparably connected with the clerical garb, and not the equally common attribute of all persons whose social eminence gave them the opportunity for indulgence. There is nothing here that suggests the opinion of Nicholas de Clemanges, himself a sharp critic of the abuses of the Church, when he remarks that, while there is much to condemn in

the papal court, yet, having a fair experience of many temporal courts, he can say that the papal court is the cleanest he has ever seen.

MERRICK WHITCOMB.

Histoire de France depuis les Origines jusqu' à la Révolution. (Publiée sous la Direction de M. Ernest Lavissee.) Tome V. Les Guerres d'Italie. La France sous Charles VIII, Louis XII et François I^{er} (1492-1547). Par HENRY LEMONNIER, Professeur à l'Université de Paris. (Paris : Hachette et Cie. 1903. Pp. 394.)

M. LEMONNIER has had a formidable task in writing the history of the reign of Louis XII. and Francis I., for aside from the complexity of the period, there are other real difficulties. Natures like that of Francis I., of Louise of Savoy, of Marguerite d'Angoulême, of the constable Bourbon are not easily estimated; the psychological element is large, the personal equation a very variable one. Then again, the difficulties attending a knowledge of the sources is great. One may reasonably hope to consult almost all the sources pertaining to most medieval themes. But it is not so with reference to a subject in a modern epoch, for the mass of materials is too voluminous. And in the history of the sixteenth century this difficulty is enhanced in two particulars. In the first place, the sources of the period are widely dispersed. Little care was then taken in France to preserve records, save in the case of the registers of the *parlements*. Each minister of state, each ambassador or other official guarded his own correspondence and disposed of it as he chose. Thus L'Aubespine, the bishop of Limoges, who was Catherine de Medici's ambassador to the court of Philip II., carried the correspondence of his office with him from point to point, and when the Spanish king returned to Spain in 1559 all these documents were lost by shipwreck. It was the administration of Richelieu which inaugurated the change by which documents of state and the doubles of correspondence were preserved in various *dépôts*. The mass of materials comprised in the *Fonds français* of the Bibliothèque Nationale and at the Archives Nationales, and the Collection Godefroy in the Bibliothèque de l'Institut has reduced the difficulties of the historian of the sixteenth century to a great degree. Yet it still remains true that, more than in almost any other period, the sources of the history of France in this period are scattered. Aside from the familiar seats of research in France and other countries, foreign archives more remote require to be visited. In Cracow are unpublished materials pertaining to Henry of Anjou's short and absurd reign as king of Poland; and nearer home, the archives in Besançon and the manuscripts in the Musée Condé at Chantilly must not be overlooked.

Still another embarrassment arises from the unsettled form of the language. The French language experienced a great expansion at this time, owing to the influence of the Renaissance, while as yet there were few settled rules of orthography. Moreover, it was exposed to an invasion of foreign words, especially Italian and Spanish, in consequence of which influences the historian of the sixteenth century cannot read the sources

of the period with that readiness which is possible of the documents of the seventeenth.

It goes without saying that so careful a scholar as M. Lemonnier has overcome these difficulties. But one remains, the failure to avoid which is no fault of his. The length and importance of the period from 1492 to 1547 makes it impossible adequately to treat its history within the compass of a single volume. In other words, the subject suffers from limitations of space. This volume is an *essence du travail*, the result of careful study of the many monographs that have been written upon various phases of the epoch, the whole illuminated by discriminating personal judgments. The work will probably remain for some time to come the authoritative history of Francis I. But every possessor of the volume will do well to have bound with it, if not otherwise preserved, the pages of the admirable bibliographical study of the reign of Francis I. by V-L. Bourilly, published in the May and June numbers of the *Revue d'Histoire Moderne et Contemporaine*.

M. Lemonnier's studies as a professor of art seem to have had a happy influence over his pen. He has the French gift of generalization and illustration—for example, the comparison of Genoa in 1500 with Poland in the eighteenth century; and he has also an incisive way of portraying men. Of Cardinal d'Amboise he caustically observes, "Ce personnage reste encore aujourd'hui plus célèbre que connu" (p. 42). Elsewhere he dilates upon the cardinal thus: "Sa politique fut mal inspirée; fausse dans son principe, mal agencée dans les combinaisons qu'elle mit en œuvre. Tout au plus peut-on dire qu'il y déploya une extraordinaire facilité à varier ses moyens d'action. Sa grande force fut sans doute dans le prestige dont il jouissait, et son mérite dans une certaine confiance en lui-même, qui lui donnait cette qualité, suprême réparatrice des fautes, la décision." The concluding sentence of a paragraph upon Anne of Brittany is, "Ni comme femme, ni comme reine, cette excellente Bretonne et mauvaise Française ne mérite les éloges qu'on a répétés sur son compte" (p. 46).

The two character-sketches that excel all others are those of Louis XII. and Francis I. (pp. 41-42; 188-197). Every student of French history will hope that M. Lemonnier has succeeded in destroying the myth that Louis XII. was either a good or a great king. His stupid duplicity in 1500, his blundering diplomacy in 1503, his terrible cruelty in war always, and the shameless method in which he pursued the annulment of his marriage with Jeanne of France constitute a dingy halo indeed. It is well said that "on juge combien il était gros de scandales, au milieu du scandale même de ce procès, qui mettait en cause la mémoire d'un roi et la dignité de toute la famille royale. L'information se poursuivait avec une régularité extérieure de procédure, qui est bien un trait de l'époque et qui ajoute encore à l'hypocrisie de l'acte" (p. 44). One wishes that the author had enlarged more upon certain particulars of Louis XII.'s reign, giving less space to the exploits of a decadent chivalry, especially since "tous ces exploits servaient de peu" (p. 62).

M. Lemonnier fails to emphasize sufficiently the point that Louis XII.'s policy at the council of Bologna was due more to his determination to abase the horns of the pope than to zeal for reform. Again, the peculiar autonomy enjoyed by Burgundy and Brittany practically forced a moderate provincial policy upon the king, but the influence exercised by this fact is unnoticed. The reviewer, at least, cannot help regretting these lacunae in the face of what seems to be an undue amount of military narration. One is prepared to admit the military genius of Gaston de Foix, as so admirably set forth (pp. 98-104), but the account of Bayard's prowess in duels and other feats of arms might safely have been left to the pages of *Le Loyal Serviteur*.

Some of M. Lemonnier's judgments have a piercing keenness, as when he says of Ludovico Sforza: "Les Italiens du XVI^e siècle ont eu pour sa politique un respect incroyable; preuve de plus que le condottierisme était au fond de l'âme italienne" (p. 11). Others are likely to be challenged by his readers, notably his conviction of the poverty of Italian political conceptions — "notre Europe politique ou sociale n'est en rien sortie de là" (p. 12) — and the view that Julius II. inaugurated nothing (pp. 111-112).

The bibliographies appended to each chapter are, as usual, excellent. But one doubts if the volumes of the *Calendar of State Papers* edited by Bergenroth and Dr. Brewer have been actually consulted in the composition of this work; for the evidence of Ferdinand the Catholic's own correspondence belies the statement on page 72 that Queen Isabella of her own will left the government of Castile to Ferdinand, to the detriment of her daughter Juana and her son-in-law, Philip of Burgundy.

JAMES WESTFALL THOMPSON.

The Philippine Islands, 1493-1803. Translations from contemporaneous books and manuscripts. Edited and annotated by EMMA HELEN BLAIR and JAMES ALEXANDER ROBERTSON, with historical introduction and additional notes by EDWARD GAYLORD BOURNE. Vol. I., 1493-1529; Vol. II., 1529-1569; Vol. III., 1569-1576; Vol. IV., 1576-1581; Vol. V., 1582-1583. To be complete in fifty-five volumes. (Cleveland: The Arthur H. Clark Company. 1903. Pp. 6-358; 4-335; 8-316; 6-317; 8-320.)

FIVE volumes have now appeared of this, the most important and extensive undertaking ever made in Philippine history. Volume I. is chiefly occupied, besides the notable historical introduction of Professor Bourne, covering some ninety pages, with documents relating to the famous "Demarcation Line" by which Pope Alexander VI. sought to divide the world between Portugal and Spain. Though entirely pertinent (the desire to reach spice islands by a western route led to Magellan's famous voyage of discovery), one feels that it was not strictly necessary to go so in detail into the documentary history of this never-settled

controversy. The remainder of this volume contains some documents relating to Magellan's voyage, of which the most valuable is the letter of Maximilianus Transylvanus, then a student in Spain, narrating the story of the voyage brought by its few survivors, the handful who really first circumnavigated the globe. Volume II. contains synopses of documents pertaining to the unsuccessful voyages of Loaisa and Villalobos, and brings us into the real beginnings of Spanish-Philippine history with the account of the successful expedition of Legaspi, resulting in a permanent settlement at Cebú in 1565. It were to be wished that the editors had more diligently searched the archives for this period; for the information to be gleaned from what they have presented to us, though considerable, especially in the letters of Legaspi to King Philip II., is all too meager. Volume III. gives us documentary accounts of the conquest of Manila and part of Luzon; considerable about their people and the Chinese; some further accounts of the trouble with the Portuguese, who claimed the Philippines as "within their demarcation"; and hints as to the beginnings of missionary work by the friars and as to the earliest conflicts of authority and opinion between friars and lay authorities in the islands. In Volume IV. the matters of *encomiendas* for the Spanish conquerors and of the tribute to be paid by the natives are further threshed over, and the beginnings of Spain's vacillating policy of conquest among the Moros of the South Philippines are very adequately presented. In Volume V., dealing with the two years after the arrival of the first Philippine bishop, Domingo de Salazar — sometimes called "the las Casas of the Philippines" for his protests against enslaving the natives under the form of tribute or under the *encomiendas* — we are launched more fully into the conflict between civil and ecclesiastical authorities, a conflict which thereafter never ceased, except for brief spells, until the close of Spanish rule in the Philippines. Among the documents of Volume V. also is the "Relation" by Miguel de Loarca of the Philippine islands and people as thus far (up to 1582) conquered and known by the Spaniards. This is the most informative document yet produced in this series. It covers one hundred and fifty-five pages of old Spanish text and translation, side by side.

By making the statement that this series will, when completed, constitute the most important as well as the most extensive work ever published in Philippine history, it is not meant to imply that the printed material at the disposal of the student of Philippine history is slight. The editors of this series found themselves confronted at the very outset with a vast amount of such material, which was the more confusing in that it was so ill-assorted and undigested. They set themselves the task not only of assorting this material, but also of selecting for the student and statesman the significant data to be gleaned from the archives, particularly those of Seville, rich in Philippina. To choose out of this mass of printed and documentary sources the data of vital interest as bearing on Spanish colonial administration and as revealing the life and characteristics of the millions of Malays with whom we now have to deal,

and "whom we must understand if we would do them justice," is indeed, as Professor Bourne says in the introduction, "an undertaking large in its possibilities for the public good." The printed sources are almost wholly in Spanish, and not readily available even to him who reads that language, as most of the important works were issued in small editions and are rare and difficult to obtain. And he who examines these sources at all carefully will perceive that no real scholarly work, of the sort which the modern historical investigator deems worthy the name of scholarship, has ever been done in Philippine history, and will at once decide that the bulk of this work remains to be done among the manuscripts to be brought to light in the Spanish colonial archives and elsewhere. These considerations will help us to understand how ambitious is the undertaking these editors have set for themselves in the very first half-decade of American occupation of the Philippines. Indeed, the conviction is forced upon us by an inspection of the prospectus and of the volumes thus far issued, that the editors themselves have not fully appreciated the magnitude of the task they set themselves.

Right at the outset it is evident that they have been dependent upon the previously accepted authorities in Philippine history. This was inevitable, since there has not been time for that independent examination of the material which alone could enable them to deal authoritatively with it. One may say that this is of less importance in a work which aims mainly at the republication of documentary sources, and not at the independent writing of history, with its statement of conclusions and decisions between conflicting data. Nevertheless, in such a field as that of Philippine history, interwoven from the first with a great controversy, viz., that over the predominance of the religious orders, it is vitally necessary that editorial work be based on an independently equipped judgment.

It is not enough that there should be freedom from bias. These editors assure us of their desire to preserve an impartial attitude as between the sides of a three-century-old conflict; and there can be no doubt as to the honesty of their intentions in this respect. Nevertheless, they have, in the absence of an ability to judge independently as to the material which is most trustworthy and most significant for this work, been obliged to rely on existing authorities. Unfortunately for them, Philippine history has been written almost exclusively by friars or by writers with a pro-friar bias. A Jesuit would center Philippine history about the doings of his brotherhood; a Dominican would glorify his order at the expense of its rivals, until one must sift and compare and reconcile conflicting statements to get at the real truth, while much that is highly significant has been omitted or glossed over. Moreover, a good portion of the unpublished sources of Philippine history is in the friar archives of Spain and the Philippines; and it is the simple truth to say that it has not always been and is not now being handled with candor; so that, with intentions unquestionably the best, the editors of this work have already been led to betray a pro-friar bias. This has inevitably come

about through their dependence on others in the selection of material for reproduction and through the lack of sufficient preparation to annotate the documents already published in a way that would enable the reader new to Philippina to judge of their relative worth and properly to estimate the data they present.

It is regrettable that this criticism must be offered — all the more so, as the friar controversy is still being waged in this country; and any expression upon it always leads to the imputation of unfairness. It is all very well to say that the editor of such a work as this must not appear to know either side to a controversy, must, as nearly as possible, ignore its existence. But the friar controversy is writ so large all over Philippine history and has so distorted it in its written form, that one is simply compelled to take it into account at every stage. But one comprehensive piece of work has been done in this subject that was not open to the charge of a friar bias, viz., the three-volume history of Montero y Vidal, and that is a mere string of chronicles, with little pretension to scholarship.

Evidently, large research in the archives of Philippina is necessary, if independent and satisfactory work is to be done. It is precisely that research in which the work here under discussion, at least in the volumes thus far issued, is deficient. There are rehearsed to us in these five volumes mainly the conventional documents referred to in histories written later on. Fortunately, there is plenty of time during the three or four years to come, while the succeeding volumes are appearing, to remedy this defect, to some extent at least. One should hesitate to express too harsh a judgment; and yet we are practically limited to the volumes at hand for an opinion on the undertaking. Moreover, the prospectus for the later portions of the work shows many important omissions of documents not to be obtained except by search outside of friar sources.

If criticisms are to be offered on the editors' selection of material, there is, as hinted, not less criticism to be passed on the annotations, or lack of annotations. Herein particularly are the volumes thus far issued weak (in addition to minor mistakes caused by a too servile following of Retana and other often fallible authorities); and the student without other means of reaching judgments on the early period of Spanish rule would be subject to various errors as well as to much confusion. That the statements made in the foregoing few paragraphs have not been overdrawn is evidenced by these remarks in the preface to Volume V.:

The coming (in 1581) of the zealous and intrepid bishop, Domingo de Salazar, was a red-letter day for the natives of the islands. The Spanish conquerors are ruthlessly oppressing the Indians, caring but little for the opposition made by the friars; but Salazar exerts as far as possible, his ecclesiastical authority, and, besides, vigorously urges the king to shield these unfortunate victims of Spanish rapacity. Various humane laws are accordingly enacted for the protection of the natives, but of course this interference by the bishop occasions a bitter hostility between the ecclesiastical and the secular powers — perhaps never to be quieted.

That Salazar was indeed zealous in behalf of the natives, and that the friars in the early days, the "heroic period" of missionary work,

were in general protectors as well as zealous mentors of the natives, is true; but the inferences to be drawn by the uninformed from the above editorial statements are unwarranted. The controversy between secular and ecclesiastical authorities began before Salazar's arrival, and the friars were not always in the right nor the lay conquerors always oppressors; instance the desire of the missionaries to abandon the toilsome labors of the Philippines for the more attractive and glorious field in China, as soon as they arrived at Manila from Mexico, and the check put upon this movement by the secular authorities.

And what shall we say of Professor Bourne's introduction? In many respects the most complete and scholarly monograph on Philippine history yet published in English, and evincing diligent and quite extensive reading in the subject, it yet perfectly illustrates the danger of relying on the existing sources of authority. With Professor Bourne's estimate of the work of the friars in what he calls their "golden age," it would not be easy seriously to disagree. But when he charges the decline in purity of government, in economic progressiveness, and in industrial and social development in general, from 1700 onward, entirely upon the "inept bureaucracy" of Spain, and declares that the friars did what they could to remedy the mistakes of the civil administrators, he becomes a literal follower of the friar writers, belied as their statements are by the plain record of the past two centuries. The orders ruled in Spain and in the Philippines until forty years ago, and often thereafter, and they mapped out general policies and ruthlessly supervised details; it is plain justice to hold them to responsibility for the results.

Professor Bourne has done the Filipino people many injustices in his acceptance of pro-friar authorities, none other of them greater than his gratuitous fling at José Rizal, borrowed from the industrious but much-biased Philippine bibliographer W. E. Retana, who has repeatedly been taxed with being a hireling of the friars. Similar is his acceptance of the most careless statements made by recent writers about the state of the Filipinos as a "set of savages" at the time of Spanish conquest.

One might wish that this series had been prefaced with documents bearing upon the state of pre-conquest Filipinos. Such documents as Loarca's relation (Volume V.) in part supply this defect. The first task the modern historian of these people must set himself is to ascertain the state of culture of these Malays at the coming of Magellan, as a basis for an estimate on the work of the conquerors, if for no broader reasons. For this purpose he must, as in the case of modern investigation into the state of prehistoric Mexican culture, needs go, in every way possible, beyond the careless statements of unscientific and prejudiced Spanish conquerors, lay or ecclesiastical. Here lies a most difficult but a most interesting piece of work for the modern investigator. Had José Rizal lived, there is hope that it would at least have been undertaken in a satisfactory way.

As now planned, this series will end with the eighteenth century. It was thought that the sources for nineteenth-century Philippine history

are more readily accessible in printed form. This is true; nevertheless a service would be performed by going outside the beaten track for the significant unprinted data bearing on this period, when events were shaping themselves for Spain's downfall, so remarkably predicted in 1859 by the German traveler in the Philippines, Ferdinand Jagor. The work is being put forth in very suitable form, neatly and plainly bound, on deckle-edged paper, with gilt top. Bibliographic data are appended to each volume, and we are promised a final volume containing a full bibliography and analytical index. The illustrations, reproductions of old paintings, facsimiles of documents and rare maps, have thus far been very satisfactory. That the editors of this work have launched it without time for sufficient preparation is the criticism to be made upon it; and a serious criticism it is. But it could not fail to be a most valuable series, from every point of view, at this moment in our national history, and especially in view of the almost total lack of available publications on Philippine history in the English language. With every reasonable prospect for more and more effective editorial work in the succeeding volumes, it is to be said that the volumes already out seem to make the work one indispensable to every well-equipped reference library in the United States.

JAMES A. LEROY.

London in the Eighteenth Century. By SIR WALTER BESANT. (London: Adam and Charles Black; New York: The Macmillan Company. 1903. Pp. xvii, 667.)

It was the aim of the late Sir Walter Besant to do for the London of the nineteenth century what Stow in his classic *Survey* did for the sixteenth. To that end he planned a great coöperative work, in which he reserved to himself the task of writing a general history of the city. Though his share of the undertaking was practically completed before his death, it was thought best, for various reasons, to publish in the present volume only the portion relating to the eighteenth century. This history contains the ripest fruits of Sir Walter's labors: indeed, we are told that he "was wont to refer to it as his *magnum opus*, and it was the work by which he most desired to be remembered by posterity." To attempt in a brief review to give an adequate idea of the wealth of information contained in the stately quarto now before us would result in a "mere aggregate of bewildered jottings." Consequently it will be necessary to restrict ourselves to a bare indication of the classes of subjects treated and to a few references to some of the more striking facts and conclusions.

Besant had already shown in his *Chaplain of the Fleet* and *All Sorts and Conditions of Men* that he knew and loved his London as few men have known and loved it. For over thirty years he was engaged in reading and taking notes on the social side of London life, not only in the present but in the past. The results of this patient accumulation are grouped and presented in this posthumous work with the practiced novelist's eye for picturesque effect, though the general symmetry is marred

here and there by repetitions and incongruous heapings of irrelevant facts. Moreover, though the book on the whole appears to be trustworthy, as well as intensely interesting, one should not look here for a cautious and critical sifting of material and a precise gaging of sources of information. The author's methods are not those of the trained historian, and he frankly disarms criticism in this respect. "If it were required," he says, "to name authorities for any statement advanced, or to give reasons for any conclusions, I could not probably do so, since the authority would lie hidden in some obscure history or some long-forgotten tedious novel." The following example will illustrate the occasional ingenuousness of his historical method. After telling a curious story of how the Spanish and Portuguese Jews burned their valuable library in Bevis Marks (p. 194), he adds: "I give the story as it is related in the *Gentleman's Magazine*. I confess that the thing itself, as it is related, seems to me to be incredible." In the preface (p. x) he gives a list of his chief authorities. Dates and places of publication are not indicated, but this omission is not so serious, since there are almost no specific page references cited in the body of the text.

The first section of the work is devoted to a series of "historical notes," a selection of twenty characteristic episodes in the history of eighteenth-century London, ranging from the Great Storm of 1703 to the Reform Bill of 1832. The author oversteps his chronological limits advisedly, very properly regarding the era of reform immediately preceding the Victorian age as more fitting than the year 1800 for a line of demarcation between the new century and the old. Having completed his brief and fragmentary but picturesque historical introductory sketch, he proceeds to his more especial work of reconstructing in a most minute and lifelike fashion the condition of London and the life of its people during the period in question. This exhaustive survey is arranged under six sections: the city and the streets; church and chapel; government and trade; manners and customs; society and amusements; crime, police, justice, and debtor's prisons. Literature is not included, since that subject was to be reserved for a separate treatment.

The city seems to have opposed the Crown in almost every point of public policy, in the American war and the war with France, in supporting Queen Caroline and in supporting Parliamentary reform. Nevertheless, the city's attitude counted for little, owing to its decline "in dignity, position, and influence." The system of government and administration is treated in some detail, and much light is thrown on the state of trade. From the chapter on trade unions it is evident that considerable discontent existed among the working classes. Likewise it is encouraging to learn that even a century ago masters and mistresses had no end of trouble with their domestics. The list of trades, banks, and newspapers (pp. 392-396) furnishes valuable data.

In an age when religion was at a low ebb throughout the country, when upper classes were worldly and skeptical, when the lower classes were sunk in degrading vice, there seems to have been no little religious

feeling among the city middle class, and this was not confined to the dissenters alone. Certainly there was a very decided degree of outward observance, if we may judge from the frequency of church services, and the popularity of a certain type of theological literature. In strange contrast, the men drank deeply, while card-playing, even among women, was excessive: perhaps inevitable counter-irritants to the prevailing monotony. Some amusing extracts from the diary of one Thomas Turner (pp. 240-242) furnish an intimate introduction to the daily life of the period.

There was no end of amusements for those who had the leisure and inclination to indulge in them — amusements, however, which apparently appealed in general only to the two extremes of society. From May to October no fewer than eighty-two days were given over to fairs. In theory at least, holy days had ceased to be regarded by the sober tradesmen and merchants; for, with the exception of Christmas and Easter Monday, craftsmen were entitled only to Sundays. This restriction, however, did not apply to public officials, who enjoyed as many as ten movable and forty-one fixed holidays. Moreover, the craftsmen were accustomed to take more than their allotted two days. November 17, the anniversary of Elizabeth's accession, was the occasion for antipapal demonstrations, while May 29, the day of the Restoration, was long celebrated. Theaters flourished: it is said there were twice as many in London as in Paris. In the city proper, however, there never was a stage, except possibly the inn-yard where Tarleton acted.

It is a sharp transition from amusements, from coffee-houses and clubs, both of which latter, by the way, are admirably treated, to the somber topics of disease, poverty, and crime. The state of public health was appalling, most particularly in the case of infant mortality, it being estimated that over 50 per cent. of the children died under the age of 5 years. Statistics are cited to show that of a population of 10,000,000 in England and Wales there were 80,000 criminals and 1,040,716 objects of parish relief. Begging and the desertion of children prevailed to a startling extent. Mendicants deliberately made capital of the most revolting deformities. The iniquities in the employment of juvenile chimney-sweeps were not only unchecked but unregarded till the famous report presented June 22, 1817. The lot of the insane and of those treated as such was especially grievous. Numberless instances are cited of persons confined in private madhouses by those anxious to be rid of them. As if the condition of the public institutions was not bad enough, the poorer classes were accustomed to confine their unfortunate kinsmen in garrets and cellars, where, loaded with chains, they were left to unspeakable torments. The sad condition of poor debtors is well known, but in view of the ample and specific evidence presented in this volume we are made to realize more clearly and vividly than before the injustice and iniquity of the system. The author's remarks on prisons in general apply with particular cogency to this class. "The eighteenth century," he says, "has many terrible sights and shows: there is nothing

more terrible, more sickening, more heartrending, than the picture of its prisons; than the thought of innocent girls and boys thrust into the whirlpool of hell which they pleasantly called a House of Correction or a House of Reformation."

The lawlessness and disorder of the period call for especial mention. Leaving out of account the highway robberies and housebreakings, a matter of common knowledge, it is estimated that £710,000 in petty thefts was disposed of each year in old rag and iron shops, of which there were 300 in 1796; and no less than £500,000 was lost annually from unloading ships in the Thames. Violence and rioting had attained the most startling dimensions, and the mob on occasions when it got the bit in its teeth careered widely on its path of destruction. A celebrated example may be found in the Gordon riots so vividly described in the pages of the present book. There was no organized system of policing, the parish officers were as a rule venal and inefficient, and the soldiers were only called in as a last resort. Sporadic private efforts to keep order, such as the mug-house associations, were able to exercise only a temporary and limited restraint. Frightful penalties covered the pages of the statute-books, to be sure — capital punishments (a list is given p. 519), transportation, and imprisonment, which in the then deplorable condition of the prisons was a form of punishment almost equally to be dreaded. Indeed the prevalence of jail-fever frequently meant ultimate death for the prisoner, and it was in fact so contagious that even judges, juries, and attendants at court were stricken down. It is often alleged that these excessive and often barbarous forms of punishment defeated their own ends. Doubtless there is much in this contention, but it is equally true and less generally understood that much of the trouble was due to the difficulty of enforcing the laws. The inadequate police system, the corrupt judges, and the fear of the desperate and dangerous classes made it frequently impossible not only to secure arrests, but also to obtain convictions. The timid citizen often preferred to leave the discovery of crimes to paid informers. All sorts of injustice are evident in the administration of the laws. For instance, one Major Bernardi and certain others were imprisoned for a supposed share in a conspiracy to murder King William and, in spite of the Habeas Corpus Act of 1679, were without trial continued in prison by four successive acts of Parliament under William III., Anne, George I., and George II. The terrible practice of *peine forte et dure* still existed, though the present account does not state that it was abolished in 1772. The ghastly revelry accompanying Tyburn processions, abolished in 1783, are graphically described from a contemporary account. Apparently there were very few state executions in this century, only five persons being executed on Tower Hill.

A few samples might be cited to illustrate the stores of miscellaneous information which the author has brought together. Much space is devoted to the condition of the London streets, which "were no cleaner; . . . were as badly lighted; . . . were as inefficiently guarded in 1744 as in 1344." There is a picturesque and animated account of the river-

side and its population. Fishing in the river was still an occupation; and, though bridges existed, boats were considerably employed for crossing. The extent of gambling and betting is proverbial; but it is perhaps not so generally known that from 1569 to 1826, first at intervals and then as an annual institution, government lotteries existed. Dueling was widely prevalent, indeed even clergymen fought, but contests were rarely fatal. There was at least one instance of wife-selling at Smithfield during the century, and the king's crower still crowed the hours on Good Friday night.

A few errors remain to be noted. Occasionally when venturing into the field of general history the author is apt to commit himself to inadequate or misleading generalizations, *e. g.* when he speaks of taxation without representation (p. 31). The Corporation Act was not repealed by George I. (p. 9). The peace of Paris is said to have been signed in 1787 (p. 33). The possible implication that Clarkson and Wilberforce were Quakers (p. 62) is obviously erroneous, though most of those associated with them in the effort to abolish the slave-trade were of that faith; the act abolishing slavery in the colonies was passed in August, 1833, not in 1834 (p. 62). Ludgate is said to mean a postern; but nothing is said to indicate that the hill got its name from the temple supposed to have been erected to Lud, the mythical British king, anciently regarded as the god of commerce (p. 99). Bishop Porteous's name is usually spelt Porteus (p. 163). The statement that the East India Company was founded in the sixteenth century is apt to convey a misleading impression, since it did not receive a charter till 1600, and was only founded the year before (p. 213). It is said (p. 532) that prisoners on criminal charges were not allowed counsel till 1820; as a matter of fact they were not allowed the full benefits of counsel till the Prisoner's Counsel Act of 1836. A statement made by Strype in 1754 is referred to (p. 538), whereas he died in 1737. In the reference to the Court of Requests (p. 566) it would have made matters clearer to state that the body under that name was abolished by Statute 16 C. II. Occasional comments (*e. g.* pp. 13, 17, 18, 20) seem rather flat for such an experienced writer. But these are all mere minor blemishes: the last word must be one of praise and gratitude for this valuable and interesting contribution.

ARTHUR LYON CROSS.

The Correspondence of the Colonial Governors of Rhode Island, 1723-1775. Published by the National Society of the Colonial Dames of America in the State of Rhode Island and Providence Plantations. Edited by GERTRUDE SELWYN KIMBALL. (Boston and New York: Houghton, Mifflin, and Company. 1902, 1903. Two vols., pp. lxii, 434; xxvi, 498.)

As it becomes more common to render the manuscript collections in American archives available in print, the need will be more apparent for a work which shall serve as a model in methods of detail. Without apparently in the least intending to supply such a model, the editor of

this work might well be considered as having done so. So far as the period is concerned, she has set before herself a definite date, and, after securing from all imaginable sources the unpublished correspondence belonging in that period, has supplemented it, in an appendix to the second volume, by a list of such letters of the same period as are already in print in Mr. Bartlett's *Colonial Records* of Rhode Island. Not only are paper and type most carefully and intelligently chosen, but the work is equipped with an exhaustive topical index, useful in ways quite out of the common, as will be seen from a careful reading of the explanatory note prefixed to it; an exceptionally workmanlike list of contents prefixed to each volume, in which the substance of each one of the 488 letters is skilfully and lucidly minuted; and even a "list of the terms of administration of the governors represented in this collection" appended to the editor's very scholarly introduction. Add to this the fact that judicious insight marks the not too numerous but very welcome annotations, and even the selection of the few but well-chosen portraits and other illustrations. Still more important is the fact that the reader's confidence is secured by the minute accuracy to be observed on every page, and also in the exact reproduction of the spelling and punctuation of the original, and even in the almost irreproachable proof-reading. Two exceptions only have been noted, where the type-setter's perversity was allowed to triumph. One was in printing McGrady for McCrady (II. 172), which is after all not an eighteenth-century name, but a recent one. The other is in the passage from a letter of 1733 in the introduction (I. xiii), where an eccentricity of spelling just a shade beyond the high level of eccentricity found in these letter-writers gives us the spelling "Imminitys." Even this word, when printed in its proper place, on p. 34 of the same volume, agrees properly with the original manuscript. In few particulars has the judgment of the editor been more apparent than in the rendering of the various abbreviations, contractions, and signs (such as that indicating the double letter) found in the original; and the work is disfigured by no such absurdities as "Ye," standing for the definite article. Where the reader and student have been given so much that shows an enlightened desire on the editor's part to "put yourself in his place," it is perhaps illogical to ask for more; and yet a brief key or guide to the system of rendering abbreviations, prefixed to the work, would have been a real boon, particularly as it is noticed that the character & in the original is here replaced by the word and.

It has been thought better to direct attention to the editor's methods, as above, than to the subjects treated. Exhaustiveness is one of the qualities aimed at by the editor, as above indicated; and where it is lacking, this is due to causes beyond the editor's control; as, for instance, where the reader who queries why so late a date as 1723 should stand for the beginning of the work is informed that "the official correspondence of Rhode Island for" the first sixty-four years has "completely disappeared." It is an interesting fact also that so noteworthy an episode in colonial history as the Albany Congress of 1754 scarcely figures in

these pages, except indirectly. While one of the "parties" to the correspondence was the colonial governor (represented in this correspondence by eleven Rhode Island citizens, of distinctly forceful characteristics), the other party was usually though not invariably the "colonial agent" representing the colony at London. Only two persons filled this position for Rhode Island during this interesting but turbulent half-century, namely, Richard Partridge, till his death in 1759, and afterwards Joseph Sherwood.

Perhaps not the least significant fact in connection with this very creditable instance of critical historical work is that it is undertaken by a Society of the Colonial Dames. In view of its striking excellence, it is natural to wish that it may prove an inspiration to like undertakings by branches of that society in other states; and yet it is to be hoped that any such society will refrain from undertaking the enterprise unless it is able to place the work in the hands of a trained historical student, as in this case.

WILLIAM E. FOSTER.

Historic Highways of America. By ARCHER BUTLER HULBERT. Vol. V. The Old Glade Road; Vol. VI. Boone's Wilderness Road. (Cleveland: The Arthur H. Clark Co. 1903. Pp. 205; 207.)

Few writers in summing up the decentralizing tendencies among the American colonists have omitted from the category the effects of commercial competition. Evidence may be collected here and there of the strife between various neighboring seaports to secure the inland trade. The long-continued rivalry between Baltimore and Philadelphia had a larger counterpart in the struggle between the two provinces of Virginia and Pennsylvania to secure the trade which naturally accumulated about the head waters of the Ohio. The advantage which would have accrued to Virginia from the cutting of Braddock's road as a complement to the Potomac was destroyed by the disastrous termination of that expedition. But she would undoubtedly bend every energy to have the same route followed when another attempt should be made to dislodge the French from the Ohio. How Pennsylvania stepped in at a late hour, and through pressure brought to bear upon the generals in command carried the day against Virginia influence and even against Colonel Washington constitutes the main impression left upon the reader by the fifth volume of Mr. Hulbert's series on historic highways.

The Old Glade road, commonly known as the Forbes or Bouquet route, has always had a place on the maps of the eastern states, but has been overshadowed by its southern parallel, the Cumberland or National Turnpike, which follows Braddock's road. From Lancaster, Pennsylvania, the Old Glade road passed through Carlisle, Bedford, and Ligonier to Pittsburg. In the latter city its memory is perpetuated by Forbes Avenue, one of the principal thoroughfares. It was supplemented at its eastern terminus by the Philadelphia and Lancaster highway. Its construction was due entirely to the determination of Forbes and Bouquet,

the successors of Braddock in attempting to penetrate the west, to cut a new way across the highlands of Pennsylvania rather than to make the detour to the southward necessary to follow the old way along the river-bottoms. The author shows how the province of Pennsylvania, unwilling to coöperate with Virginia in making the Braddock expedition, was suddenly aroused to great activity by the incursions of the Indians on her border after the defeat. She constructed a chain of forts along the eastern base of the mountains and hurried militia to them. These and other activities were largely responsible for the decision of Forbes and Bouquet to cut a new road through the state. Neither Forbes, who was a Scotchman, nor Bouquet, who was a Swiss, had any local interests to serve in choosing a route. Each was disgusted with the bickering between Pennsylvania and Virginia. "The majority of these gentlemen do not know the difference between a party and an army," wrote Forbes to Bouquet. So clearly has the author brought out this intercolonial dissension over such a simple matter as the construction of a highway that the case will merit a mention hereafter in any study of the subject.

The material for the volume is taken almost entirely from the official correspondence of Forbes and Bouquet, together with that of Sir John St. Clair, as preserved in the British Museum and in the British Public Record Office. Forbes was in command of the expedition, but was delayed by illness, throwing the burden upon Bouquet. St. Clair was the quartermaster-general, the duties of whose office brought him face to face with the problem of road-making. The author does not exaggerate in saying that a highway through the woods was with Forbes as with Braddock the final test of the enterprise. Fort Duquesne could be captured with half the force if troops and supplies could be transported across the mountains. The immense labor involved in constructing the road may be gathered incidentally by extracts from the correspondence. From one point, it would require five hundred men five days to cut to the top of the mountain. "Send as many men as you can with digging tools, this is a most diabolical work, and whiskey must be had." Six hundred men cut the way over Laurel Hill in three days. Forbes declared that the slow advance of the new road and the cause of it "touched him to the quick." The rains of autumn found the army too far from Duquesne to reach that point without wintering on the way. The expedition was saved, and the judgment of Forbes and Bouquet in choosing that way was upheld only by Bradstreet's destroying at Fort Frontenac the stores intended for Fort Duquesne. The evacuation of the latter saved the day. Pennsylvania now had the first continued highway to the Ohio, which she soon converted into the Pennsylvania Road, and later into the Chambersburg and Pittsburg Turnpike. The author demonstrates what few realize, that the Cumberland National Road owes its prestige to its national paternity, and that the Pennsylvania Road was patronized almost exclusively by the migrants who came from the New England states to people the region north of the Ohio.

Boone's Wilderness Road, which forms the subject of the sixth volume, was the result of the first trans-Alleghanian expansion, the migration of the country people of Virginia and North Carolina to the valleys of Kentucky and Tennessee. As in the preceding volumes, a map of the road is wanting. This would seem to be a prime requisite in planning the work. Strictly speaking, the road was formed on the headwaters of the Tennessee River in what is now the extreme southwestern corner of the state of Virginia. It was fed by roads down the Shenandoah Valley, and up the James River in Virginia, and up the Yadkin and down the New River in North Carolina. It collected all these into one great highway by passing through the narrow Cumberland Gap where the boundary lines of Virginia, North Carolina, and Kentucky now meet. Thence the way was clear to the blue-grass region and on to the Falls of the Ohio, now Louisville. The route had been traversed by Boone as early as 1771 and was blazed and cleared by a party under his leadership in 1775. It was made into a wagon road at a later time by the state of Kentucky, but owing to the rivalry of the Ohio River as a route to the west travel over it never assumed any magnitude.

The difficult task of extending a single subject over such a long series, compelling the introduction of much extraneous matter to atone for the lack of pertinent material, is painfully manifest in this volume. The latter portion is taken up with a readable sketch of Western history during the Revolution, including the campaigns of Clark, Bird, and others but very slightly connected with the Wilderness Road. The first chapter of the book, entitled "The Pilgrims of the West," is admissible only as a description of the frontiersmen who demanded and constructed the road. A chronological perspective is not maintained at all times. Henderson's Transylvania Company is introduced on page 42 and again on page 88, many details being repeated. The marking of the road by Boone and the founding of Boonesborough are given in two distinct places in the book, with Walker's exploration, Gist's mission, and Dunmore's war between.

One takes up this volume with the feeling that the author has left the realm of fancy which characterized the first two numbers in the series, and the military details which occupied the two succeeding ones, and has now entered upon the real history of the movement of the people; for the Wilderness Road is essentially a popular highway. But the author confesses that he has little to give in the way of local information. "The writer has sought with some care to know more of these," he says, "of the modes of travel, the entertainment which was afforded along the road to men and beasts, and the several social relations of the greater settlements in Virginia and Kentucky to this thin line of human lives across the continent. Very little information has been secured." Is this disappointing conclusion due to the non-existence of such material? Would a systematic and prolonged search have produced more satisfactory results? Evidently only two sources were drawn upon — the Filson Club of Louisville, Kentucky, and the Wisconsin Historical Society. A few

manuscript letters from the latter storehouse appear, but the mass of material has been printed, and is available in any library even to the casual reader. The Wilderness Road coincided in its upper parts with the road leading to the settlements on the upper Tennessee. Might not a search of documents at Knoxville and Nashville supply such additional information as would make a real contribution to knowledge without detracting from the novelty and attractiveness which thus far characterize the series?

EDWIN ERLE SPARKS.

A History of the British Army. By THE HONORABLE J. W. FORTESCUE. Second Part—from the close of the Seven Years' War to the second Peace of Paris. Vol. III., 1763-1793. (London: Macmillan and Company, Limited; New York: The Macmillan Company. 1902. Pp. xxviii, 621.)

THIS volume, carrying the history of the British army through the period of the American Revolution, might be very useful to the student of that war, were it not for its spirit of unfairness toward the American cause, which is shown at every opportunity. That the story of the Revolution can be written from the point of view of an English Tory without outraging the sympathies of a fair-minded American has been signally demonstrated by Lecky, while Trevelyan satisfies the unreasoning patriotism of the veriest Jingo. In this book we have an English historian writing in the spirit of Lord George Germain or poor old pensioned Dr. Johnson.

In the period between the close of the French and Indian War and the opening of the Revolution, he is more aware of the agitation than of its causes. It "is always a dangerous period," he writes suggestively, "when politicians and agitators, who have been long thrust to the wall by generals and admirals, return again to their places with louder voices and enhanced importance." Again and again the author puts emphasis upon the agitation, while ignoring or belittling the causes of it. A few quotations will best give the flavor of the book. It is the malicious spirit of the narrator which offends, rather than the fact, as in the following sentence: "The mob of Boston had long ago learned to meet any unpopular measure with lawless violence, and their Congregational ministers to search the Scriptures for their encouragement." Of the "Boston Massacre" he says, "The blame for the bloodshed rests wholly with the magistrates of Boston . . ." Of the trial he writes with a sneer, "this . . . was always paraded as a specimen of the impartiality of American justice." On the influence of local government he comments, "The machinery of municipal administration permitted the assembling of mobs under the name of town-meetings, whenever the agitators might require them."

The intolerant tone often makes even truth offensive, as in the following passage: "A stream of trash about chains and slavery, hirelings of oppression, brutal instruments of tyranny . . . flowed inexhaustibly from the tongues of orators and the pens of pamphleteers." Again, an

uncharitable interpretation of patriot utterances is due to an entire misunderstanding of actual conditions. One must know very little of the slow growth of the desire for independence who could write: "The state papers and remonstrances, many of them very ably drafted, with their pretence of humility and submission, their grave and ceremonious insolence, and their frequent shameless perversion of facts . . . the unblushing partiality of juries . . . all these things by long tradition came quite naturally to the people of Boston."

Mr. Fortescue is quite as perverse in dealing with the first Continental Congress. He does not even grant them honesty, but says, "It was a curious body, and to judge from its first action, not a very straightforward one." After reviewing their papers, he writes, "These productions, though on the face of the matter not admirable even as specimens of lying, are remarkable as indications of the early hunger of the Americans after Canada."

In the treatment of the war itself, the campaigns, battles, and engagements, the author is more even-handed, but he is ever ready to accept the most absurd newspaper canards derogatory to American humanity. He tells, for example, the old story about the Americans' scalping some of the dead and wounded British soldiers at Concord bridge. The author's comments and criticisms upon the campaigns are often very enlightening and suggestive. Montgomery and Arnold's attack on Quebec he regards as a foolish enterprise, "for even if the Americans had taken Quebec they could not have held it without an adequate naval force." The condition of the British army is examined critically and ably, and the reasons for its inefficiency are more clearly shown than in any previous work known to the reviewer. The plans of the British ministry are severely criticized. "The mere fact that . . . [they rested their] hopes on the co-operation of the American loyalists was sufficient to distract its councils and to vitiate its plans. Their purpose being vague and undefined, the ministers proceeded without any idea of what an army could or could not do, or of the force that was required for any given object."

Besides the whole course of the American war, the work of the British army in India and at Gibraltar is narrated from 1761 to 1792. The two preceding volumes, which appeared in 1899, constitute together with this volume a connected story of the growth of English military institutions and of the development of tactics in a continuous series of wars. The first 208 pages of Volume I. give a good preliminary sketch up to the establishment of the "New Model." From that point he goes into detail, devoting nearly 400 pages to Cromwell, Charles II., William, and Marlborough. The second volume covers the history of about fifty years to the treaty of Paris.

The volumes are in the main based upon the work of previous writers, usually specialists on limited fields. There is a good sense of proportion shown throughout, the style is clear, and the descriptions of battles and campaigns easy to follow.

C. H. VAN TYNE.

Les Débuts de la Révolution, dans les Départements du Cher et de l'Indre (1789-1791). Par MARCEL BRUNEAU, Agrégé d'Histoire et de Géographie, Docteur ès Lettres, Inspecteur d'Académie. (Paris: Hachette et Cie. 1902. Pp. 470.)

LOCAL histories of the Revolution are often particularly refreshing because they take one out of the atmosphere of the great assemblies at Paris and show exactly how each reform in the social or political constitution of France was effected and just how far promise became performance. M. Bruneau has rendered his work more than usually serviceable by crowding his pages with detailed statements of fact, explaining the form each general phase of the early Revolution took in Berry. He has drawn his material from local assembly records, administrative correspondence, official documents of all kinds. In short, this is the sort of work upon which the general historian of the Revolution may rely in studying the consequences of the reforms undertaken by the Constituent Assembly.

Berry was a province which had the happy experience of successful reform before the Revolution. It was one of the experimentations for the project of provincial assemblies devised by Turgot and later carried out by Necker. This experience undoubtedly had something to do with the fact that at the beginning it escaped the worst excesses like the war on the *châteaux*. M. Bruneau shows, however, that the royal government collapsed here as completely as in other parts of France. Unfortunately the new administrations that finally took its place did not have the resolution to enforce all the laws or to stamp out disorder. In many instances they did not act harmoniously, and proved much more expensive than the old administration.

The municipal officers were not displaced at first, as were those of Paris. The *comités permanents*, formed in imitation of the earliest improvised government of Paris, merely coöperated with the existing municipalities until the new local government law went into effect. It is curious to note that the name *permanent*, which some Parisians took to mean *non-renewable* instead of *continuously in session*, gave no similar offense in Berry. Consequently these committees were not, like the Paris committee, accused of manifesting an aristocratic tendency, and obliged to change their names and soon afterward to retire.

M. Bruneau's description of the method by which Berry was divided into the two departments of Cher and Indre shows how ill-founded is the common assertion that the work of subdividing France ignored the historical divisions of the country and was controlled largely by considerations of symmetry or of mere local topography. He disturbs another equally stubborn commonplace, which states that the sale of public lands created by the confiscation of church property increased the relative amount of small peasant properties. His results are, therefore, in substantial agreement with those of M. Lecarpentier for the district of Caudebec and M. Minzès for the Seine-et-Marne. The chief purchasers

were members of the *bourgeoisie*, although there were several nobles, especially from the *noblesse de robe*. There was also apparently much buying for speculative purposes, and even some buying by municipal officers, moved by a sense of duty to show that they did not fear a reaction which might enable the Church to recover its lands.

M. Bruneau gives interesting details about the monetary crisis, explaining how difficult it was even after the heavy issues of assignats to obtain enough of them to carry on the ordinary local business. The merchants had no other resource than to issue notes of their own, called *billets de confiance*, which answered the purpose for a time, although later they aggravated the general evil.

These examples may serve to indicate the many-sided illustrative value of the book, which carries the history of Berry down to the adoption of the constitution of 1791. It should be added that although a sympathetic student of the Revolution, M. Bruneau is not an apologist of disorder or of the petty tyrannies that were sometimes practised in the interest of the new liberties of the people.

HENRY E. BOURNE.

Financial History of the United States. By DAVIS RICH DEWEY, Ph.D., Professor of Economics and Statistics, Massachusetts Institute of Technology. [American Citizen Series.] (London and New York: Longmans, Green, and Company. 1903. Pp. xxxvii, 530.)

PROFESSOR DEWEY's financial history of the United States is the first attempt to sum up the results of the investigations of American historians and economists in the evolution of the money, banks, taxation, and public debts of this country. Scholars were early attracted to this rich field. The resulting literature has been an important contribution to the science of finance, quite on a par with similar work in other countries. Our varied and striking experience with paper and bank currency has been exhaustively treated by such writers as Gouge, Phillips, Bronson, Sumner, McCulloch, Horace White, and Bullock; our equally instructive experience with different forms of taxation, by Wells, Bolles, and Taussig; the fiscal problems peculiar to our history and government, by Noyes, Scott, Bourne, H. C. Adams, and Kinley; and the polemical literature of recent years on the great money and tariff questions has filled our libraries with much valuable material:

The writer of a financial history of the country cannot complain of a paucity of material. The difficulty he meets is rather one of orderly consecutiveness of the story. Professor Dewey has been signally successful in meeting this difficulty. His book avoids needless repetition, and presents the kaleidoscopic items that go to make up the country's financial history with a proper regard to their relative importance and to the thread, often slender and obscure, that binds them together. In one particular, however, we must express our regret that the author's desire to keep his book within certain bounds has led him to omit all reference

to the history of the South during the Civil War. The reviewer's interest in the history of the Confederate States may be thought to lead him to exaggerate its importance; but the history of American war finances, and especially of American paper-money régimes, would seem incomplete without a reference, even cursory, to the financial experiences of the South during the war, which ran parallel with those of the North during the same years and with those of colonial and Revolutionary times, and which would have furnished the author with striking examples of the typical financial problems and difficulties in our history.

Aside from this omission, every important topic that falls within the scope of the financial history of the United States is covered. The complicated story of the Northern finances during and after the Civil War is treated with particular success. Throughout the book the statistical material, which in less skillful hands might have become cumbersome and obscure, is arranged, abbreviated, and commented upon in a way that could not be improved upon. The analysis of Congressional votes on important bills, by geographical sections, has never, we believe, been carried so far.

The great controversies that have enlivened our financial history, such as the various bank and money questions, are summarized in a fair and dispassionate way. In this impartial treatment some may miss a fuller statement of and a more positive position on such fundamental questions as the necessity of the Legal-Tender Act of 1862 and the constitutionality of the legal-tender notes. A fuller discussion of the interstate commerce clause of the Constitution and its bearing upon the fiscal policy of the individual states would have been desired.

A few inaccuracies call for comment. On page 446 it is said, "clearing-house loan certificates were once more resorted to, this time on a much larger scale than ever before." While the amount issued for instance in New York in 1893 greatly exceeded that issued on former occasions, the "scale" to be used cannot fairly be an absolute one, but the figure should be referred to the amount of deposits or to some similar index of the extent of business during the particular crisis. The thirty-eight millions of loan certificates issued in New York in 1893, by this method of calculation, represented a much smaller issue than the twenty-two millions of 1873. On the last line of page 326 it is stated that the national bank-notes "were payable by the government for its indebtedness *and* for interest on its bonds." The word "*and*" should read "*except*," as will be seen from a perusal of section 20 of the Bank Act of 1863 and section 23 of the act of the following year. By this slip in the text the laws are made to sanction the payment of the interest on the United States bonds in the notes of the national banks, which was of course never contemplated.

The general and topical bibliographies will be found of the greatest value, especially to students, for whom the book was presumably prepared. It will doubtless be found to be an indispensable text-book, covering as no other book does one great section of the economic history of the United States.

J. C. SCHWAB.

The American Republic and its Government. By JAMES ALBERT WOODBURN. (New York and London : G. P. Putnam's Sons. 1903. Pp. v, 410.)

Political Parties and Party Problems in the United States. By JAMES ALBERT WOODBURN. (New York and London : G. P. Putnam's Sons. 1903. Pp. ix, 314.)

THE *American Republic and its Government* is designed as a text-book in American government for elementary college work and for advanced secondary school courses. It aims to occupy a half-way ground between the school text-book and Bryce's *American Commonwealth*. The author has succeeded admirably well in attaining his end. About one-fourth of the volume is devoted to a discussion of the principles of political science as developed and applied by the founders of the nation and the framers of the Constitution. Chapters on "The Presidency," "The Senate," "The House of Representatives," and "The Judiciary" comprise the body of the book; a short chapter suffices for "The States and their Government"; while the last chapter, on "The Territories and their Government," after describing the regular form of territorial government, gives a good deal of space to a discussion of the constitutional position of our recently acquired insular possessions.

Professor Woodburn's book has many excellent pedagogical features. It is sane, temperate, and well-proportioned. The exposition of principles and the statement of facts are clear and direct, and in most respects the several subjects are adequately discussed for the purpose of the book. Commendable skill is shown in presenting the important and in avoiding mention of less important or inconsequential details. The author is careful to treat both sides of controversial topics with fairness, and in general the work shows that the writer understands his subject and, what is more, has taught it and has learned from experience where emphasis should be laid. Hence he has produced a thoroughly teachable book. No attempt is made to advance unusual or novel views, and by such self-restraint the value of the work as a text-book is materially increased.

Praiseworthy emphasis is laid in several instances upon facts which have been perverted by known but often repeated error, as on page 202, where it is clearly shown that the compromise in the Convention of 1787 over the basis of representation was not the cause of the adoption of the bicameral system, since that form of legislative assembly was determined upon before the dispute over the basis of representation arose. The position is taken that all attempts to bind the future sovereign will by restrictive clauses in a constitution, such as that giving equal suffrage in the Senate to the states, are futile, and that the clause mentioned can be changed constitutionally by ordinary process of amendment.

Accuracy is the general rule, although several incorrect statements appear. On page 117 the assertion is made that the Constitution requires that the day for choosing presidential electors must be the same throughout the United States — an error that a more careful reading of the Con-

stitution would have prevented. The act of 1845, not the Constitution, requires the election to occur everywhere on the same day. On page 322 the classes of controversies in which jurisdiction is given by the Constitution to the Federal courts are enumerated, and it is stated that the Eleventh Amendment has withdrawn from that jurisdiction controversies between a state and citizens of another state; this of course is not true of suits brought by a state against a citizen of another state. While too much explanation defeats the ends of an elementary text-book, it would seem that the limitation of the force of the Eleventh Amendment by the decision of the Supreme Court in the case of *Cohens vs. Virginia* should have been mentioned. The same criticism, similarly modified, would suggest that the limitation placed upon the power of suspension of the writ of habeas corpus by the Supreme Court in the *Milligan* case should have been noted. Certainly the intervention in Louisiana of the Federal government under Grant should not have been omitted in a somewhat lengthy discussion of the guarantee clause of the Constitution. The author takes too much for granted in assuming, as he does in three places, that the Danish West Indies are already possessions of the United States, although he states in a foot-note that the treaty had not as yet been ratified by Denmark. President Cleveland's articles on "Executive Independence" are quoted (p. 189) in one instance as in the *Atlantic Monthly* for 1901, and later on the same page as in the same magazine for 1900; but such typographical errors are unusually rare.

Political Parties and Party Problems in the United States is a companion volume to the one just reviewed. The book gives much valuable information in a well-arranged and useful form. The facts are well considered and accurately stated; and yet a comparison of the two volumes compels the conclusion that the author is on surer ground in *The American Republic*. It is handled with a firmer grasp, with a better sense of proportion, and with greater breadth and skill of treatment than the second book.

The first half of the volume is devoted to an historical sketch of American political parties. Part II., comprising about one-fourth of the book, describes the machinery and practical operation of American party organizations. The last quarter, Part III., is given to a discussion of the ethical problems in party politics.

Professor Woodburn avoids controversial ground as much as possible, and gives, in general, a mere outline of the development of parties and party principles. At times, however, he does not hesitate to take sides positively on disputed points. On page 62 he defends the action of the Liberty party in voting for Birney in 1844, even though it may have caused the defeat of Clay and the triumph of the party pledged to annexation. He states that the majority of the American people desired annexation, and that Whig victory, even though won by antislavery votes, would not have prevented such a consummation. The author opposes the view prevalent in recent years, that the fundamental principle of the Whig party was Congressional domination, or legislative control of the

several departments of government. Again, he shows conclusively that the capture of the Democratic national convention in 1896 by the radical and silver wing of the party was due to deep-seated causes that had been long operative, and not to convention oratory, as has been popularly supposed. Occasionally the political philosophy at the basis of party action is ably and clearly demonstrated, as in the explanation of the "unit rule" in the Democratic national convention.

Proportion is not well observed in the historical treatment of political parties. Forty-four pages are given to the history of the several antislavery parties, while thirty-seven pages suffice for the history of parties under the Constitution down to the fall of the Whigs. In this latter part very little space is devoted to the Jacksonian Democracy; and in fact from the division of the old Republican party to the close of the Reconstruction period the Democratic party is given scant notice. On page 90, in an enumeration of the parties and a description of the platforms of 1860, no mention is made of the Bell-Everett party. On page 79 the proof-reader has allowed the Compromise of 1850 to appear as that of 1856; and on page 82 the expression "Northwest Territory" is used to designate the trans-Mississippi territory north of 36° 30'.

The author's chapter on "Party Morality" is excellent and timely, and the discussion of ethical problems in Part III. is sound and judicious, though perhaps contributing little to the vital literature of the subject.

Useful topical bibliographies, short but well selected, occur at the end of most of the chapters. One wonders why such a list of references is omitted from the chapter on "States and their Government" in *The American Republic*, and why Part I. of the second volume should likewise be slighted. In both books frequent and often long extracts from well-known authorities are incorporated in the text itself, to such an extent that the impression of lack of originality which the volumes as a whole convey is considerably strengthened.

These books are written for the young student and the general reader, and not for the scholar and specialist. The author does not present his work as the result of exhaustive original research; he does however show excellent judgment in arranging and skill in setting forth the facts, which are derived in most cases from secondary sources. The style, although not brilliant, is well adapted to his purpose, and the proof-reading is carefully done. The books are on the whole creditable to their author, and will prove, *The American Republic* especially, useful additions to the literature of American government and politics.

MARSHALL S. BROWN.

The Life of James Madison. By GAILLARD HUNT. (New York: Doubleday, Page, and Company. 1902. Pp. viii, 402.)

If the title of Mr. Hunt's solid and well-digested work were to read "The Times of James Madison," it would more accurately represent the contents, for the author throughout relegates Madison's personality to the background and follows the course of general political history. The

first chapter opens with a full account of the formation of the first Virginia constitution, which occupies twelve pages, although Madison only once took part in the proceedings, and then ineffectually. Then follow two brief chapters on Madison's education and early life, after which comes a study of Virginia government and legislation during the Confederation period, and a survey of the steps leading to the calling of the Federal Convention, the process of constitution-making, and the struggle for ratification. After that the narrative follows the current of general history, varying from chronological order occasionally in order to compare Madison's later opinions on nullification with his views at the time of the Virginia Resolutions or to group related diplomatic dealings. Generally speaking, the earlier period receives far more minute attention than the later, the record of Madison's term as secretary of state being strikingly condensed. The book is really a temperately and independently written history of the United States from 1776 to 1817 with occasional references to James Madison.

No doubt this method of treatment results to a large extent from the humdrum correctness and dryness of Madison's personality and from that complete absorption in public affairs which led him to discuss paper money when he should have been courting, and which renders his collected works at once so valuable and so colorless. But the author goes farther than is necessary in his adherence to the general and impersonal, for he passes over with slight mention and usually without discussion nearly everything human in Madison's career. The private relations of Madison with his Virginia contemporaries — Henry, Marshall, and Edmund Randolph — scarcely appear; the whole episode of John Randolph's frantic attack upon him is dismissed in a few lines; and Monroe's quarrel receives less than a page. It is not made clear just how Madison was regarded in his first term by the Young Republicans, and, still stranger, there is no mention except in one brief paragraph of the personal opposition of the New York Clintonians. But perhaps the most striking omission is that of any discussion of the relations of Jefferson with Madison and of any full estimate of the extent to which the latter was swayed in his political career after 1789 by the older man. We are nowhere told, for example, how independent a part was played by Madison as secretary of state. The only episode in his eight years of service that is fully treated is the Louisiana purchase, and this is described with almost no mention of Jefferson. In this respect the book does not furnish the information one ordinarily looks for in the biography of a statesman. What Mr. Hunt has done is well done, but it is not new; what he has failed to do is suggested by Mr. Henry Adams's treatment of Madison in his history, which still remains the most lifelike presentation of the man.

Mr. Hunt's method has the conspicuous merit of breadth and true perspective, and his attitude toward his hero is noticeably well-balanced and judicious. Nowhere is Madison given the credit of unusual influence or success without contemporary testimony in text or foot-note to support the assertion, nor is any criticism ventured without a display of the

evidence. The fairness of the author's position may be illustrated by his comments on Madison's abandonment of the Federalists in 1790:

If base motives of expediency must be attributed to him because he declined to follow Hamilton's lead . . . the same odium must be visited upon all the former Federalists in the South who were now the preponderating force in the Anti-Federal party. . . . At the present day it is possible for a man who is a member of the Democratic party to be esteemed, even by those who do not agree with him, as an honest patriot, and no violent mental effort should be necessary to attribute political integrity and patriotic motives to the leaders who founded the Democratic party more than a century ago. . . . In the heat of political conflict men say and even believe things of their opponents which at calmer times they would not sanction. This must be remembered in extenuation of Madison's attitude toward Hamilton. It is a merciful interpretation which ought to be accepted by the partisans of Hamilton in exchange for like charity extended to their own hero, who also sadly needs it.

But of Madison as a war leader Mr. Hunt says candidly: "In truth he was not an inspiring figure to lead in war. The hour had come but the man was wanting. Not a scholar in governments ancient and modern, not an unimpassioned writer of careful messages but a robust leader to rally the people and unite them to fight was what the time needed and what it did not find in Madison." It should be said, however, that Hamilton and the New England Federalists are viewed by Mr. Hunt through distinctly Madisonian spectacles, and there is one figure who certainly receives less than what most people would consider his due. From his first appearance to his last Patrick Henry seldom is mentioned without a depreciatory phrase, and the worst accusations of his political opponents are quoted with apparent approval. Mr. Hunt seems to have ignored Mr. Tyler's rehabilitation of the eloquent Virginian and to have adopted in full Jefferson's well-known attitude.

In style the book is clear and vigorous, now and then lighted up by touches of sarcasm or by a downright epithet. Yet the dryness of Madison's personality appears at times to place on the writer's spirits a damper of which he seems not wholly unconscious. In view of this fact the title of "three musqueteers" applied several times by Mr. Hunt to the trio of Jefferson, Madison, and Monroe grows more absurd with each repetition. Three men to whom, taken together, the title of Dumas's heroes is less applicable could scarcely be imagined.

It is almost needless to say that the historical workmanship of the volume is as sound and scholarly as would be expected from the editor of Madison's works. The copious foot-notes prove the text to be based on a wide knowledge of everything that has been printed concerning Madison, together with a great deal of unpublished material in the archives of the State Department and elsewhere. The book has a respectable although by no means exhaustive index. There are, however, a few minor matters where exception may be taken on the point of style. The habitual wording of references to unpublished material is simply "Dept. of State MS." Now, when the date and author of a letter thus referred to are named in

the text it may not be necessary to describe the document in the note, but when, as happens occasionally, either or both of these is lacking, the reference becomes hopelessly blind. There are also a few vague footnotes where we are referred simply to "Journal of the House of Delegates" (p. 78 ff.); to "Bancroft VIII" (p. 123); to "Yates" (p. 135); and to "Ford's *Essays on the Constitution*" (p. 142). A few misprints have been observed, nearly all of a minor character, except on page 297, where we are told that Napoleon boasted of receiving for Louisiana sixty million "livers." Generally speaking, the volume is as creditable in appearance as it is sound in its contents, and it forms a worthy opening number for the biographical series of which it is a part.

THEODORE CLARKE SMITH.

Nelson and his Captains: Sketches of Famous Seamen. By W. H. FITCHETT. (London: Smith, Elder, and Company. 1902. Pp. 322.)

THIS is a very useful, entertaining, and creditable little volume. It is not and is not intended to be an original or exhaustive work of research either in biography or in naval history, but gives just what the title-page promises—a series of sketches. They are thoughtfully and enthusiastically written in a simple yet pleasing, vivacious style. They stimulate interest or refresh the memory concerning the strategy and tactics of the greatest epoch in naval history, and present in convenient form the life and character of great sailors who won safety and glory for England and made great advances in the science of warfare on the sea.

Though Nelson is the ostensible subject of but one of the chapters, he is the inspiration of the whole book. Indeed the second chapter has for its title "The Men of Nelson's School", and though each of the remaining chapters bears the name of one of the great sailors of this school, it is largely in relation to Nelson that their careers are described.

The chapter on Nelson is not a biography, but a "character study" done with great insight and literary skill, with impartiality and yet with perfect sympathy. The author emphasizes with admirable candor the weakness as well as the nobility of his high-strung, moody character, the possible flaws as well as the overwhelming dazzling supremacy of his naval genius. We get a vivid picture of the "fragile, undersized, half-womanly figure", who was yet "the greatest sea-warrior the world has ever seen" and "almost, if not quite, the most terrible fighter, whether on sea or land, war has known", for whom "to be in the passion and perils of a great battle" was, in his own words, to be "in the full tide of happiness." In a few luminous sentences the author gives an appreciation of Nelson's strategy and tactics, of his debts to his predecessors and his superiority to them. We see his discipline, his care for the health of his men, his perfect efficiency even in mere practical seamanship, his burning sense of duty with all its limitations and narrowness, his loyalty to his subordinates, and his power of arousing their devotion; for "the noble law that trust creates loyalty, and love kindles love, fulfilled itself

in Nelson's career." The author appropriately closes his sketch by making an interesting comparison of Nelson with his great contemporaries, Wellington and Napoleon.

The chapter on the men of Nelson's school gives a vivacious account of the rough yet efficacious practical apprenticeship of the lads who became Nelson's captains, contrasts in effective manner the achievements of the navy with the — to modern eyes — tiny ships of the time, gives instances of the well-nigh incredible courage bred in officers and men by the old system or lack of system, and, as typical elements in the character of Nelson's captains, suggests hate of Frenchmen, love of adventure and of a fat prize, "pride of race; pride in the flag, loyalty to king and country, the impulse of discipline, the dread of dishonour, the sense of comradeship with gallant men and of partnership in great deeds." To these forces the author emphatically adds the personal influence and training of Nelson. "The infection of his lofty and eager spirit caught lower natures and hurried them beyond themselves." His "praise was for them fame; his disapproval was more bitter than defeat, and more to be dreaded than death."

Then follow the interesting sketches of the individual captains. First Berry, who was no tactician, but an unsurpassed fighting subordinate. Then next portrait is that of the "gallant and good Riou," as Nelson called him, the hero of "well-nigh the most heroic feat of seamanship on record." This feat was of course the famous affair of the wrecked *Guardian*, which Riou with a handful of men kept afloat and triumphantly brought into Table Bay after nine weeks of almost incredible endurance, skill, and courage — qualities which we meet again in the tragic close of his career at Copenhagen, where, in Nelson's words, the shot that cut Riou in two inflicted upon the British navy an "irreparable loss." Riou's own dying words, "What will Nelson think of us?", strikingly exemplify the feeling of the "school" for the master.

Then Blackwood, the hero of the famous fight between his frigate of 36 guns and the *Guillaume Tell*, an incident "difficult to parallel in sea warfare," Blackwood, the "prince of frigate captains," who twice refused the command of a 74 for mere joy in frigate service. The chapter on Blackwood is particularly pleasing as illustrating the author's readiness to recognize heroism in French officers, as indeed Blackwood himself became a lifelong friend of the gallant commander of the *Guillaume Tell*. Apart from his important services in the preliminaries and in the actual battle of Trafalgar, he is immortalized in Nelson's "God bless you, Blackwood, I shall never see you more."

Troubridge of course finds, as he deserves, an enthusiastic chapter, Troubridge, of whom Nelson said, "he is, as a friend and an officer, a nonpareil." Next to Nelson, says Dr. Fitchett, "scarcely any other sailor in that age of great seamen gives so vividly the sense of capacity for great things." "Look at Troubridge," cried the usually grim, undemonstrative Jervis at St. Vincent. "He takes his ship to battle as though the eyes of all England were upon him; and would to God they were!"

The tragedy of the *Culloden* helplessly aground at the battle of the Nile is relieved by Nelson's noble and successful insistence, "for heaven's sake, for my sake," that Troubridge should be equally honored with his other captains. But those black, maddening hours on the shoals were not the only tragedy of Troubridge's career; and it is with feelings of deep sadness that we read of his breach with Nelson and finally of the cyclone in which he and his ship went down together.

We get graphic pictures of the splendid exploits of the gigantic, dauntless Hallowell; a good portrait of Ball, the philosopher-sailor, Nelson's great friend, distinguished at the Nile and hero of the siege of Malta; and one of the gallant opponent of Linois, Saumarez, whom, it is unpleasant to remember, Nelson unjustly disliked in spite of his great daring and superb seamanship. Sketches are also given of Parker, of Pellew (Lord Exmouth), of Foley, and lastly of Hardy, who was "imperishably linked to the memory of Nelson by the pathos of the immortal scene in the cockpit of the *Victory*, and by the half-womanly tenderness" of Nelson's dying words, in which "Hardy's name is enshrined for all time." With him, who beyond all others was the "comrade Nelson would have chosen to hold his hand as he died," and in whose coffin Nelson's portrait lies, the interesting and inspiring volume closes.

W. F. TILTON.

The Story of General Bacon. BY ALNOD J. BOGER. (London: Methuen and Company. 1903. Pp. xii, 308.)

IN our American generation of Civil War veterans, all of whom have experienced the daily toils and pleasures of campaigning, there has always been an audience for the personal narrative of a soldier; since the Boer War this class in Great Britain has multiplied. The technical military history commands fewer readers. Human sympathy goes out towards the individual, not the army corps. It is a long hark back to Waterloo, and yet the story of one who there bore arms loses not interest. A direct descendant of Anthony (brother of Francis Lord Bacon) and son of one of the richest commoners in England; the youngster who even at Eton refused to take a birching at the hands of the famous flogger Keats, because a commission in the Sixteenth Light Dragoons had been provided for him before he left school, and he was already entitled to wear the king's uniform; the youngster whose father never gave him a regular allowance, but paid his debts from time to time, was apt to grow up wayward. And this in a way Bacon was; but he appears to have learned to ride and fence and speak the truth — a mighty good education, properly construed, to-day.

Joining his regiment in Spain in 1813 young Bacon, then seventeen years old, found himself among a lot of veterans of twenty-two and three who had been in the field for four years; but, like most cavalry officers, he saw more of hardy but innocuous outpost duty and less of hard fighting than he would have seen in the foot, on whom falls four-fifths of the desperate work of the assault or the battle. He had, from an adjoining hill, "a

complete bird's-eye view of the first battle of Sorauren," one that does not often fall to the lot of a subaltern; and he was an interested spectator at the siege of San Sebastian, while Graham's men lay on their faces at the foot of the rampart into which the batteries were pouring shot within a few feet of their backs to make a breach big enough for them to mount it over a *chevaux-de-frise* of sword-blades. No wonder when he saw it afterwards he deemed "the great breach a ghastly spectacle of slaughter." With his regiment Bacon served until the end of the war in 1814. In love with the life, he then hoped to be ordered to America, but the Sixteenth was not chosen. It was, however, not long after its return to England before Napoleon's return from Elba sent all available troops over to Belgium, and from a half-pay lieutenant Bacon again found himself on active duty as lieutenant of the Tenth Hussars. The Waterloo campaign is fairly described, and a generous word for Blücher and the French is thrown in. Indeed, there is no disparagement of the enemy in these pages. They are given their due meed of praise, while the British soldier's good qualities are magnified, and sometimes his ill ones are not forgotten. It is the instinct of that greatest of virtues, patriotism, that exalts our own soldier beyond any other.

Before Waterloo, Bacon's regiment was with the party that traced Blücher's direction after Ligny, so as to enable Wellington to take corresponding action. At the battle his regiment was one of those that did not get put in until the end, the men and officers fretting their ardent souls away within gunshot of their brothers locked in mortal struggle with the foe. But when their time came, they had their full share. Bacon, struck in two places in the charge, with eight other officers and forty-five men killed and wounded of the Tenth, lay unconscious on the field, was robbed by night-hawks, and next morning was picked up and nursed back to life. One of the bullets he carried, near his knee, the rest of his life.

Midway in the seventeen succeeding years of peace, Bacon married Lady Charlotte Harley, the beautiful girl to whom Byron dedicated his *Childe Harold*. He served in various places, including Madras and Gibraltar. His father did not leave him rich. In 1825 we find him major of the Seventeenth Lancers; in 1832, in the Civil War in Portugal, Colonel Bacon formed a regiment of lancers to go again to the Peninsula. Nearly half the book is taken up by his experiences at this time, when he saw a good deal of fighting. But more interesting are some of the difficulties in managing the troops under his command as general officer, and the notes made of the barbarous practice of flogging—fancy the horror of three hundred lashes! While disapproving the penalty, he once executed the sentence of a court martial in the presence of a mutinous regiment, controlling the men by his personal bearing alone. "It is unwise as well as impolitic to continue a description of punishment which, from its degrading and disgusting nature, puts men below the level of beasts," he writes.

In the siege of Oporto, during which his wife bravely stood beside him, "donkeys, dogs, cats and horse-flesh were eagerly devoured when-

ever procurable," and the ration (when issued) was "two ounces of rice, two ounces of salt fish, half a pint of port wine and one ship's biscuit." "A slice of dog, well-peppered, devilled, and fried in oil and butter on the lid of a mess-tin was a luxurious repast." What memories of "friedhardtack" does this not evoke for the veteran of the Army of the Potomac! After this war Bacon resided partly in England, partly in Portugal, striving to recover the moneys he had personally advanced to the cause he served — which of course he never recovered. It is not only republics which are ungrateful. When the Crimean War broke out he was nearing sixty, but being "without doubt the best cavalry officer I have ever seen," as Lord Anglesey had said, he expected a chance of service. He was grievously disappointed to have the command of the Seventeenth Lancers entrusted to another. He died in 1864. This volume, by his grandson, is well done; though one could wish that more of Bacon's own letters could have been quoted. It is light to hold and the print is clear. Unless the literature of the Boer and Spanish wars monopolize readers, it should have a good sale.

THEODORE AYRAULT DODGE.

Correspondence of Lady Burghersh with the Duke of Wellington. Edited by her daughter, LADY ROSE WEIGALL. (London: John Murray and Company. 1903. Pp. vii, 220.)

WHILE possessing in high measure the attributes of the great man of action, His Grace the Duke of Wellington has been usually characterized as of a stern unsympathetic nature, as a man who lived, through success and glory, fame and riches, a solitary, cheerless life. There is a grain of truth in this view of the great soldier, though many estimates of him exaggerate it, going so far as to represent him as sitting in his old age "lonely in the bleak and comfortless surroundings that he chose, while friendship and family affection passed him by." Yet the chief who so far won the regard of his subordinate officers in the Deccan that when he left that command they presented him with a service of plate worth £2,000 sterling — though this is measuring sentiment by a vulgar plutocratic yardstick — could scarcely have lacked the human quality. And while the duke's despatches from the Peninsula were wont now and then to exhibit scant appreciation of the fidelity, courage, and stanch soldierly qualities of his officers and men, yet it can scarcely be denied that he won the esteem and respect of all around him, to as high a degree as any captain, if he did not command enthusiasm and love after the fashion of an Alexander or a Gustavus.

Captain Arthur Wellesley was one of the aides-de-camp of the Earl of Westmoreland, who was lord lieutenant of Ireland from 1790 to 1795. When Sir Arthur went to Portugal in 1812 he took on his own staff Lord Burghersh, the son of his ancient chief; and this gentleman later married Sir Arthur's niece, Priscilla Anne, daughter of the Earl of Mornington. This couple remained attached to the Duke of Wellington by the warmest ties; and it was to "My Dearest Priscilla" that most of the letters in

this unusual volume are addressed. And because there exists in some circles an error which is deemed by those who loved him and whom he loved to be an injustice to his memory, Lady Rose Weigall, the daughter of Lady Burghersh, has consented to the publication of these letters, to "give some idea of what he was to his own friends and family."

The letters are simple and homely to the last degree. They deal in everything, from the duke's views in 1812 on the strategical situation in the Peninsula, to a simple agreement to meet "My dear Priscilla" at the train on its arrival at Dover on September 14, 1852. This last, unlike the duke, who was scrupulous in adherence to truth and promises, remained unfulfilled; for the great soldier died, rather suddenly, on the day he was to welcome his niece at Walmer Castle. In the letters there are many references to contemporary politics which may interest those familiar with the times; but nearly all of them are about personal matters. Sentences taken here and there from the letters best explain them. "The *Stael* . . . told a person who repeated it to me that she had done everything in her power 'pour m'intéresser à elle' (what does she suppose me made of?) but she found I had no 'cœur pour l'amour'!!!" "I shall be sorry to lose the poor Americans!" (the Misses Caton). "You must for my sake protect them against their host of enemies when they go to England." This in 1817, when the memory of the War of 1812 was still rankling. "I am very sorry indeed to hear of the illness of General Neipperg. He would be a terrible loss to his friends, to the Empress Marie Louisa" (whose "morganatic husband" he was), "and to the Publick in general." "This transaction proves to me clearly not only that Lord Melbourne does not understand his business, but that there is nobody in the Cabinet who does!" — a thoroughly Wellingtonian phrase. "In the existing state of things [1837] they could not go on for a day in the House of Lords without me!" "We have a Queen of eighteen years of age. Supposing her to be an angel from Heaven, she cannot have the knowledge to enable her to oppose the mischief proposed to her." One phrase in a letter from Fuente-Guinaldo, May 25, 1812, is highly characteristic of the duke's painstaking Peninsular campaign. Speaking of Hill's fine raid on Almaraz having "given me the choice of lines of operation for the remainder of the campaign," he adds, "and do what we will, we shall be *safe*."

From the color of a cloak he was to give his niece to the illness of the Princess Victoria; from a slur at "gentlemen artists" (Lilley) to a timely charity to an old pensioner; from German politics to an accusation of mendacity to his political opponents, these letters are full of matter. The object sought by this publication has been fully attained; it is clear that the duke had under his irascible, prejudiced, antagonistic exterior a heart which beat warmly for distress, which loved his own with a true affection, and which was human to the core. He subscribed little to public charities, but gave largely in private; he would call each day on a sick friend; he could apologize to a servant for a scolding administered on wrong premises, and he showed great love for little children. While

showing how easy it has been to misapprehend his character, the letters are a fine tribute to the man.

This volume is beautifully published, with two fine portraits of the duke, one most apt rear-view sketch by Leslie of the duke walking, and so lovely a portrait of Lady Westmoreland that one does not wonder she was his "Dearest Priscilla."

THEODORE AYRAULT DODGE.

Mémoires de Langeron, Général d'Infanterie dans l'Armée Russe, Campagnes de 1812, 1813, 1814. Publiés d'après le manuscrit original pour la Société d'Histoire Contemporaine, par L.-G. F. (Paris: Alphonse Picard et Fils. 1902. Pp. cxx, 524.)

ANDRAULT, COUNT LANGERON, the author of these memoirs, was born in Paris in 1763. Under Rochambeau he served with the French force in America in 1781. On the outbreak of the Revolution, he left the French for the Russian service, attained in the latter the rank of lieutenant-general in 1799, and died, after a distinguished career of forty years in his adopted country, at St. Petersburg in 1831. His memoirs on the wars of the First Coalition (Pingaud, *L'Invasion Austro-Prussienne, 1792-1794*) were published by the Société d'Histoire Contemporaine in 1895. In the present volume the memoirs for 1812 and 1813 are the more important. In March, 1814, Langeron distinguished himself before Paris by the storming of Montmartre, but the general insignificance of this campaign as compared with the previous ones is reflected unmistakably in his narrative.

In 1812 Langeron commanded under Tchitchagoff the army disengaged by the Turkish peace, which in September advanced from Moldavia upon the French line of communications, captured Minsk with its supplies, and took the crossing of the Beresina, but failed to hold it against Oudinot. The failure of this movement from the south to bar Napoleon's retreat Langeron ascribes in general to Tchitchagoff's tardiness—an opinion in which, contrary to Bogdanowitsch, the editor concurs. The latter, however, joins with Diebitsch in excusing Tchitchagoff's sudden digression from the Beresina on November 25, whereby Napoleon, according to Langeron and the received opinion, ultimately escaped. Between Tchitchagoff and Langeron, who appears to have been the superior of the two in ability, the feeling was such as debarred criticism mutually fair. Tchitchagoff, in a letter to Alexander I., once expressed a hope to be "delivered" from his subordinate. The latter in turn, comparing his chief to the Emperor Paul, ascribes to him every extravagance and vice of mind and heart.

Of more interest is his characterization of the Prussians and of Blücher, under whom he commanded a corps 48,000 strong in the campaigns of 1813-1814. Blücher he describes as a veteran hussar in the full sense of the word, a drunkard, gambler, and profligate, addicted in fact at sixty-six to "all the vices hardly excusable in youth," redeemed however by virtues martial and otherwise that made him soon the idol of

Russian and Prussian alike. The talents of Gneisenau are frankly acknowledged: his disposition, however, Langeron found repulsive. Muffling, who rivaled Gneisenau in ability, was amiable as well. Langeron's praise of the Prussians — princes, officers, and soldiery — in this contest is almost unmixed. "Never," he says, "did military honor reach a higher level." They had but one fault, insufferable arrogance. Even to Muffling, Langeron, then a veteran of twenty years in the Russian service, was, merely by reason of his French origin, repugnant. In this feeling Langeron's ignorance of German played a rôle, especially with Blücher, whose ignorance of French, unusual in a Prussian officer, debarred free intercourse with his Russo-French subordinate.

The volume is replete with the incidents which lend interest to works of its class. At Düben on October 9, 1813, Blücher and Langeron escaped capture by a narrow half-hour, and only as a result of Blücher's fondness for the chase. At Leipzig it fell to Langeron's lot to receive the Saxon regiments which deserted Napoleon on October 18; and on the following day, at imminent peril to his own life, he witnessed, from the bank of the Elster, the tragic death of his personal friend Poniatowski. Langeron's greatest achievement was the destruction of an entire French division 25,000 strong at the Katzbach and Loewenberg, August 26-29, 1813. This event and Napoleon's retreat in 1812 are the subjects of the editor's introduction, a careful study based upon public records at Paris, St. Petersburg, Vienna, and Dresden. A number of interesting documents from these sources, including Jomini's letters of resignation to Napoleon and Berthier, are included in the volume.

H. M. BOWMAN.

American Diplomacy in the Orient. By JOHN WATSON FOSTER.
(New York and Boston: Houghton, Mifflin, and Company.
1903. Pp. xiv, 498.)

IT is our Pacific orient that Mr. Foster means by this title, China, Japan, and the islands, not Turkey or Persia. Why our occident has been so universally called our orient, it is difficult to say. Perhaps because we sailed eastward to reach it or because we simply adopted the European term and point of view.

American diplomacy has largely concerned itself with commercial and private interests rather than with high politics, and in consequence a thoroughgoing history of it would be a dull affair. But by selection and treatment Mr. Foster's book has been made anything but dull. In his desire to be interesting he even seems to shrink sometimes from the full enumeration of those treaty provisions which are the results of diplomacy. Thus in the treaty of 1833 with Siam three lines are given to the treaty stipulations (p. 50), while the topics of opium trade prohibition, the prohibition of importing arms and of exporting rice, and the most favored nation clause in respect of duties are all omitted, though surely we would be glad to know why the question of opium in Siam was thus early treated.

In the dread of being dull, in the desire for picturesqueness, as it seems to me, Mr. Foster has been led now and then into a want of proportion between the trivial and the essential, between the amusing or interesting details of our diplomatic adventures in the Pacific, and the serious sum and substance of their results. It is a question also, for the sake of a clear and continuous narrative, whether the dealings with each country should not have been related from beginning to end. The form adopted has been to give a chapter to the early Chinese treaties, then one to our first dealings with Japan, then a description of Hawaii as an independent state, and so on. However, on the other hand, we are introduced to these backward countries at the same stage of their development, so that we get a comparative study of their progress, which is very likely more important than a continuous view.

Mr. Foster's account of our relations with China is clear and fair-minded. While emphasizing sufficiently the curious fact that American exclusion of the Chinese in these later days so closely parallels the exclusion of foreigners which China would practice if she could, he does justice to those numerous instances of good-will for China displayed by this country which show that, compared with others, the United States has been truly a friend. Thus the American merchants repaid duties suspended during the Taiping rebellion; the United States returned a portion of the Canton indemnity; it always supported the Chinese endeavor to forbid the import of opium, in contrast to British policy; it has only twice used force against China in spite of provocation; and Mr. Hay's recent course has been in line with these precedents of friendliness. Twice have our presidents vetoed anti-Chinese legislation; twice has the general government paid indemnity for anti-Chinese riots; once only has drastic domestic legislation violated treaty, and then after a brief interval it was legalized by treaty. So that on the whole we may say that in spite of local prejudice against the Chinese and of statutes dictated by that dislike, the attitude of the general government has been correct. Chinese statesmen have realized that the United States has had no sinister designs upon Chinese territory. And Li Hung Chang's statement that the German aggressiveness in Kiauchau was more than any other one thing the cause of the Boxer outbreak, quoted by Mr. Foster (p. 416), is in the same line. That missionaries have been objected to, not as propagating a hostile religious belief, but solely as foreigners, and not more disliked than foreign merchants, is forcibly declared. In fact Mr. Foster does ample justice, though no more than justice, to the part played by the American missionaries Williams, Martin, Allen in Corea, Gutzloff, and others in our earlier diplomacy. It may be added that Mr. Foster's own service under the Chinese government, as well as under our own, gives his views peculiar interest and value.

American diplomatic intercourse with China, such as it was, came about as the natural outgrowth of a growing trade and the necessity for its regulation and protection. There was nothing forced about it. With Japan, however, it was different. Perry's expedition was a positive first

breach in Japanese exclusiveness. His expedition and negotiations furnish Mr. Foster with the details for a dramatic narrative, well made use of. Here, too, American friendship to Japan is clearly set forth, culminating in our readiness to permit treaty revision which should cast off the shackles of a tariff set by the importer and of extraterritorial jurisdiction, a revision necessarily to be undertaken only in connection with our commercial rivals, and in point of fact not accepted by them until after the war with China in 1894. The effect of this war upon the international position of Japan is noted. But perhaps Mr. Foster might have added the reflection that in the divergent courses of China and Japan, the one rejecting, the other making use of modern ideas, we have a striking illustration of the fact that even to-day the position of a state in political society is the position that it has the power to enforce, and no more. Military power, or the possession of resources convertible into such power, is still the criterion of international status. Japan has been able to perform its international duties and insist upon its rights; China has been unable to do either.

Our relations with Hawaii are well set forth. The temptation to annex these favored islands seems to have been irresistible with half the European squadrons which visited them. That the United States could permit no such step is made clear. But that one administration after another disclaimed any desire to annex the Hawaiian Islands is not brought out. Yet with the exception of Mr. Marcy's oft-quoted despatch of 1853, there is hardly a state paper treating the question, from 1840 to the overthrow of the monarchy, which does not express this idea. Nor does Mr. Foster bring out the technical fault of American recognition of the new government in 1893, the day after the revolution, before the rest of Oahu and the other islands could show whether the new government had popular support or not. This was in violation of our usage in such cases.

These, however, are minor criticisms. The book is clearly and interestingly written, is eminently fair-minded, and should be read by those who desire knowledge of our relations with a part of the world whose future line of development is still so obscure. But that these relations are likely to be closer than ever before and to be fraught with great consequences to this country, we cannot avoid believing.

THEODORE S. WOOLSEY.

The True Abraham Lincoln. By WILLIAM ELEROY CURTIS. (Philadelphia and London: J. B. Lippincott Company. 1903. Pp. xiv, 409.)

A "true" biography without scandal is indeed a novelty, but this is the only strikingly original feature of Mr. Curtis's book. The author forbids criticism on this point, however, by stating that there were "no mysteries in his career to excite curiosity." "Of such a man, wrote a well-known writer, the last word can never be said. Each succeeding generation may profit by the contemplation of his strength and triumph."

The verdict on the book must rest, therefore, on its peculiar adaptation to the needs of the present generation.

The topical method adopted in this series frankly dismisses the more difficult problems of construction; those peculiar to it Mr. Curtis handles with some skill, but he fails to manifest that constant care in correlating facts which is so necessary to prevent repetition and contradiction. "John Johnson, Lincoln's step-brother," on page 30 is "John D. Johnson, his step-brother," on page 32; and Lincoln's temperance views on page 286 are not precisely those recorded on page 381. No amount of care and skill, moreover, could possibly disguise the fact that this form of treatment is not suited to a life of Lincoln. He was not versatile as were Franklin and Jefferson, nor was his career many-sided as was that of Washington. He occasionally applied his wonderful insight to the problems of diplomacy and war, but the central point of Mr. Curtis's chapters on "A Prairie Politician," "A President and His Cabinet," "A Commander-in-Chief and his Generals," and "A Master in Diplomacy" is his ability to handle men; and nine-tenths of the contents of these chapters could be interchanged without altering their character. More serious is the fact that the disregard for chronology causes us to lose sight of the most significant feature of Lincoln's life—his continuous development.

This last criticism is closely akin to a word of praise. Undoubtedly many writers have overestimated the squalor of Lincoln's youth in order to enhance the story of his rise. Mr. Curtis is thoroughly conversant with the results of recent investigations into Lincoln's family and boyhood, and he presents material with regard to them which will be novel to many of his readers. In general he shows acquaintance with the best works on his subject. It is natural that a life of Lincoln should be saturated with anecdotes; in the thirty-six pages of the chapter on "How Lincoln appeared in the White House" are forty-seven; the average through the book is one to a page. It is not Lincoln alone that Mr. Curtis's modesty allows to speak, but many writers about Lincoln. Of the twenty-six pages of the last chapter, fifteen are in quotation-marks; Chapter IV., with twenty out of fifty pages quoted, is normal. The book is prefaced with a stanza from Lowell's Commemoration Ode and concludes with a quotation from Emerson. These many voices, though a little discordant on minor matters, all harmonize in accomplishing Mr. Curtis's design "to portray the character of Abraham Lincoln as the highest type of the American" (p. 1). "His errors were due to mercy and not to malice; to prudence and not to thoughtlessness or pride; to deliberation and not to recklessness" (p. 394).

The style reveals the newspaper correspondent; bright and readable, it is marred by loose and ambiguous phrases. "Never was an audience more completely electrified by human speech" (p. 105); Seward could not have been defeated by "a combination of the minority" (p. 197); and the context shows that Mr. Curtis does not consider that "avarice was the least of" Lincoln's "faults" (p. 74). This looseness some-

times extends to the logic; Mr. Curtis can hardly think that to return a private favor with an Indian agency was a notably "honorable discharge" of obligation (p. 34).

The lack of historical background is distinctly lamentable. If the sentence, "During long years of controversy, the pro-slavery party had hope of ultimate triumph, but until the election of Lincoln there was no actual treason or revolutionary act" (p. 161) means anything, it is the expression of a view long since discarded. The "Secessionists" did not control both houses of Congress in February, 1861; and the danger feared with regard to the counting of the electoral vote was military and not legislative (p. 166). Scarcely the most rabid Republican of 1861 would have called President Buchanan and General Duff Green "rebel leaders" (pp. 162-163). The men who came into conflict with Lincoln are almost invariably led by the most personal of motives. Douglas was "compelled to choose between the favor and support of the Buchanan administration and that of the people of Illinois. As the latter alternative was necessary to his public career, he adopted it" (p. 108). The treatment of Chase is extremely harsh.

Errors of typography are few and the dates are generally accurate, but there are a few slips of the pen; on page 187 Buchanan should be Pierce, and on page 207 Seward should be Chase. The illustrations are well selected, including eight pictures of Lincoln, and are attractively reproduced. The index is slight and inaccurate.

C. R. FISH.

Memories of a Hundred Years. By EDWARD EVERETT HALE.
(New York: The Macmillan Company. 1902. Two vols.,
pp. xiv, 318; ix, 321.)

Colonel Alexander K. McClure's Recollections of Half a Century.
(Salem, Mass.: The Salem Press Company. 1902. Pp. vii, 502.)

THESE two works, the one by an octogenarian, the other by one nearing the same mile-stone, the first from the facile pen of the well-known Boston clergyman and literary man, the second by the almost equally celebrated Philadelphia journalist and sometime politician, at once challenge the attention and awaken our interest. Very few men of their time have enjoyed a wider or more intimate acquaintance with those who were the leaders of the thought and life of the nation for the past half-century.

In view of the title of Dr. Hale's volumes, one might almost be pardoned for asking him the same question which he tells us a Philadelphia lady in unconscious ignorance put to him at the conclusion of a lecture on Washington, namely, whether he was personally acquainted with his hero. The *Memories*, in fact, go back as far as the French and Indian War. As the author informs us that his own recollections do not antedate Lafayette's visit in 1825, when Hale was three years of age, it is clear that a part of the remembering must necessarily be done by proxy. Indeed the author explains that they embrace what he happily calls

"keyhole views" of "his own generation and of the generation before his own," the latter being transmitted to him by the friends of his early years.

The work is neither history nor autobiography, but rather a succession of reminiscences of anecdotal character with offhand comments about many of the leading men and events of our past, loosely strung together in a highly entertaining and chatty way. Those who turn to it seeking either definite information or well-considered judgments will be doomed to disappointment. It leaves much to be desired in the accuracy of its historical details, and too often the violent prejudices of the author find free expression in its pages. While there is apparent a certain plan and method in the arrangement of the successive chapters, there is little continuity in the subject-matter. On the other hand, the peculiar charm and interest of the *Memories* come chiefly from the delightful personality of the author, which is revealed on every page. The vivacity and naturalness of his style, the wide range of his interests, the variety of his experiences, and the frankness with which he gives expression to his views — prejudiced though they may be — hold the reader's attention.

The first volume, which relates chiefly to the generation before his own, is the least interesting and valuable, and contains more blemishes, particularly where it treats of political affairs. In the second volume Dr. Hale deals with his own time, speaking of many of the men with whom he has been associated and of the causes with which he has been identified. His recollections of the leading orators, historians, and literary men of New England are entertaining, although they could hardly be expected to add materially to our knowledge of such familiar characters. The most interesting and valuable chapters, it seems to me, are those which relate to the antislavery movement and the Civil War. Dr. Hale's account of his own part in the work of the Emigrant Aid Companies and his relations with Eli Thayer is of the first importance, notably the reference to his pamphlet on *How to Conquer Texas before Texas Conquers Us*, written in 1845 shortly after the admission of Texas, advocating colonization by the free-states men nearly a decade before this plan was employed in settling Kansas. It is such personal experiences as these that lead the reader to regret that the author did not reserve more of his space for such important and enlightening glimpses into the history of his own day.

There remains the unpleasant task of noting some of the blemishes alluded to above. A good example of the extent to which he has absorbed, perhaps unconsciously, the prejudices of the old New England Federalists is seen in his treatment of Jefferson and "poor Mr. Madison" and the other members of what he "likes to call the Virginia Dynasty," with "their failures and follies, their fuss and feather and fol-de-rol." Jefferson as President, he considers, occupies "the place in history which a fussy and foolish nurse fills in the biography of a man like Franklin, or Washington, or Goethe, or Julius Cæsar." Again, prejudice is seen in his reference to the English government as having "crowded peace

down the throats of the American envoys," at the close of the War of 1812. One can readily permit the author of *The Man without a Country* the privilege of devoting some twenty pages to the relatively unimportant history of the true Philip Nolan; but what shall be said of the historic judgment which attributes to his unjust execution the origin of American enmity to Spain, the annexation of Texas, and our hatred of Spain from that day to the recent Spanish-American War? Certainly the reader cannot fail to be amused at the suggestion that Texas should erect a statue to Philip Nolan, either in the state's own capitol or in that of the nation, to perpetuate the resentment of the Southwest to Spanish treachery.

Dr. Hale tells us that he has "a memory of iron," but it frequently proves unreliable in matters of detail, as the following citations attest: He refers to Fisher Ames as a member of the Senate rather than of the House (I. 17). Jackson's visit to Boston is placed in 1830 (I. 271) rather than the correct date, 1833. Webster's speech defending his retention of office in Tyler's administration is given as in 1841 (II. 38), whereas it was in the following year. Webster is spoken of as secretary of state in 1844 (II. 35), although he had retired from the cabinet in the previous year. He gives the date of South Carolina's Negro Seaman's Act as in 1823 (II. 128) instead of 1822. Dr. Hale also errs in thinking that the first national convention was that of the Democratic party in 1832 (I. 232). It is well known that this institution was the important contribution to national politics of the short-lived Antimasonic party. He fails to state correctly Clay's share in the Missouri Compromise (I. 234); and in his treatment of the Monroe doctrine he apparently confuses the question of colonization with that of the independence of the South American states (I. 246). A little more regard for "modern historical realism" and "the dry-as-dust historians," as Dr. Hale calls them, would have saved him from these and many other lapses.

The work is enriched with numerous illustrations, reproductions of portraits, broadsides, autograph letters, and other original material.

Colonel McClure, unlike Dr. Hale, has confined his *Recollections* to the last half-century. His volume likewise is neither an autobiography nor a connected history, but a collection of some fifty miscellaneous sketches of men prominent in the civil and military history of the republic, together with papers upon important events in the nation's life. In those character-sketches in which he gives us the results of his personal acquaintance he is at his best, and the portrait that he draws may usually be accepted as true to life. Unfortunately, however, he has included in this volume a number of papers of a different character which are little more than compilations that any well-equipped writer might have prepared from secondary works.

Among the best of the first class may be mentioned his sketches of the various presidents from Lincoln to McKinley, his noble tribute to Henry Wilson, his sympathetic account of the career of Samuel J. Randall, and his able and interesting study of Grant and McClellan, in which he contrasts the aggressive and the defensive general. In the main

Colonel McClure is discriminatingly just in his estimates and dispassionate in his criticisms ; only occasionally is his personal bias or prejudice apparent. His style is that of the experienced journalist, simple and easy, although it is not especially picturesque. The work may be considered substantially free from errors of fact.

HERMAN V. AMES.

Horace Greeley, Founder and Editor of The New York Tribune. By WILLIAM ALEXANDER LINN. (New York: D. Appleton and Company. 1903. Pp. xiii, 267.)

THIS volume is the third in Appletons' "Series of Historic Lives." Thwaites's biographies of Father Marquette and Daniel Boone preceded it, and A. C. Buell's sketch of Sir William Johnson is now its successor. Mr. Linn's studies of character in his excellent *Story of the Mormons* probably afforded him less preparation for this portraiture of Horace Greeley than he derived from his experience as a journalist in New York city and in the office of the *Tribune*. He has, therefore, enjoyed the advantage of a personal acquaintance with his subject.

Throughout this little volume the skill of the expert news-writer is pleasantly evident. The story runs quickly and lucidly. There is no verbiage. The dramatic situations are seized, and Greeley is made to reveal, usually in his own words, the defects and the virtues of his personality. In the preface the outline of the whole sketch is condensed into one sentence :

. . . A gawky country lad, with a limited education and a slight acquaintance with the printer's trade, comes to the principal city of the land with a few dollars in his pocket and a single suit of clothes, and fights a fight the result of which is the founding of the most influential newspaper of his day, and the acquirement of a reputation as its editor which secures for him a nomination for the presidency of the United States. . . . (p. 5).

In less than sixty pages is summarized the story of Greeley's earlier career, of his evolution from a poverty-stricken country boy in New England into an editor of a literary weekly in New York city, a Whig politician and pamphleteer, and a protégé of Thurlow Weed. Fifty pages more contain the story of the foundation of the *Tribune* in 1841, and an analytical estimate of the relations between Greeley's personality and the newspaper that he had created. One chapter is devoted to Greeley's advocacy of a protective tariff down to the era of the Mexican War, and another chapter to the attitude of Greeley and his paper towards the slavery question down to the outbreak of the Civil War.

In the decade 1850-1860 Greeley stood at the zenith of his influence and reputation. His word was law among the northern farmers, who had learned to read the *Weekly Tribune* as though it were a weekly Gospel. Raymond's *Times* was probably more popular in New York city than the *Tribune*, but Raymond himself, when berating Greeley for his unrelenting opposition to Seward's nomination in 1860, referred to the *Tribune* as "the most influential political newspaper in the country." Perhaps Bennett's *Herald* had more readers, yet Bennett was not

highly respected, and no one thought of the *Herald* as an oracle. But Greeley had become the journalistic representative of the conscience of the North. Only Governor Seward knew what unworthy passions had warped the great editor, and until 1860 Seward kept that knowledge to himself.

In the last two chapters Mr. Linn presents the evidences of Greeley's decline and fall, his fierce yearning for office, his jealousy of Raymond and the *Times*, his puerile egotism and lack of balance, his distrust and captious criticism of Lincoln, his friendliness with the more disreputable elements of the local Republican party who followed the fortunes of Reuben E. Fenton, and finally the extraordinary pliability which made him the presidential candidate of his lifelong enemies.

Incidentally Mr. Linn makes it plain that Greeley profited by the advice and assistance of a remarkable company of associates. Men like Henry J. Raymond, Sidney Howard Gay, Charles A. Dana, and George Ripley helped to make the *Tribune*, to build up the influence of its editor-in-chief, and to correct the vagaries of that versatile genius. Mr. Linn barely glances at the vulgarities of speech and manner which so often made Greeley appear to his companions like an overgrown and badly-trained boy. Indeed, if the gossip that still circulates among those who knew Greeley is true, it would be impossible to put in print a faithful description of the man in his petty moods, and yet he was the very soul of courtesy and tenderness to those who could claim his affection, and even to those who could not he was often over-generous.

A man of genius and a lovable nature, he was, nevertheless, as Mr. Linn suggests, a living illustration of the need of a thorough training in the schools. Horace Greeley educated himself by native intellectual force, but it is clear that he never acquired that sanity, steadiness of judgment, and self-control which are among the finest flowers of character, and which may be cultivated amid the formative intimacies of college life. Mr. Linn's study of the great editor should be read as a companion volume to Greeley's *Recollections of a Busy Life*. With the two works in hand, it should be easy to evoke once more the attractive, powerful, and yet disappointing personality of Horace Greeley.

CHARLES H. LEVERMORE.

The Impeachment and Trial of Andrew Johnson. By DAVID MILLER DEWITT. (New York: The Macmillan Company. 1903. Pp. 646.)

THIS book is one of the most important which have yet appeared dealing with that comparatively untouched field, the Reconstruction period. It is something more than an account of the impeachment and trial; it is also a picture-gallery and presents several old faces in colors not altogether familiar to students or creditable to the originals. The introduction, more than one hundred pages, is devoted to a statement of the theories and problems of Reconstruction and to an account of the struggle between the President and Congress to carry out their respective

plans. The rest of the book gives a very full account of the various unsuccessful attempts at impeachment, the impeachment, the trial, and the acquittal. Speeches made in Congress and by the President are epitomized and quoted freely. The book might very well be called "The Vindication of Andrew Johnson," but, be it said to the credit of the author, in vindicating a much maligned President he has seldom displayed offensive partizanship; he has simply allowed the actors in this not very creditable drama to speak for themselves.

It has frequently been charged that President Johnson was largely responsible for bringing on the conflict with Congress. Professor Burgess, who certainly cannot be charged with partiality toward Congress, says that he was "low-born and low-bred, violent in temper, obstinate, coarse, and lacking in the sense of propriety." But if he displayed violence of temper and vindictiveness of spirit, Mr. Dewitt shows that he did so under great provocation. Even his conduct on the famous "swing around the circle," which affords a good example of his coarseness and lack of dignity, may be explained, though not excused. Up to and including the veto of the Freedman's Bureau bill, the President can hardly be said to have done anything to provoke Congress except to point out with irrefutable logic the unconstitutional ground upon which Congress was treading. Soon after this followed the notorious speech of February 22, in which he used language unbecoming to his station and highly exasperating to Congress. Yet Senator Sherman pointed out that he had been provoked by men in and out of Congress who had classed him with Arnold and Burr and had said that he deserved to lose his head as Charles I. had done.

Over against this combative disposition of the President the author has set forth the characters of his leading opponents. Thaddeus Stevens is described as the "soul of vindictiveness" and is compared to Marat for the "audacity" of his convictions. The liminary provisions of the Constitution gave him no trouble. This leader of the opposition was also a leader in insolence, as is shown by his ironical defense of the President against the charge that he was "an insolent drunken brute, in comparison with whom even Caligula's horse was respectable." Sumner is compared to Robespierre in his indifference to the lives of men who threw themselves in his way. Human rights, in the abstract, were the object of his intellectual worship, though he cared naught for the individuals to whom the rights belonged. If there was any doubt about the guilt of this "successor of Jefferson Davis", said he, it should be resolved according to the "law of the majority." The President's "barefaced treachery" made him "alone in bad eminence, alone in the evil he has done." This characterization is all the more surprising since even Senator Ross credits Sumner with a desire to deal fairly with the President.¹

The attempt of Ashley, Butler, and Boutwell to implicate Johnson in the assassination of Lincoln is not very creditable either to their honesty, mental penetration, or sense of justice. Boutwell clung to the notorious

¹ *Forum*, XX. 222.

Conover, *alias* Dunham, who implicated Johnson in the plot, even after being confronted with his perjury; and Ashley actually sought to secure the pardon of this scoundrel by the President in order to secure through the man thus set free evidence convicting of complicity in the murder of his predecessor the one who exercised the clemency.

It is now generally acknowledged that Grant comes out of this controversy with a record by no means enviable. According to Mr. Dewitt's account, which bears the stamp of veracity, if Grant's own admissions may be relied upon, the general's conduct in failing to hold the office of secretary of war or to deliver it to the President after the Senate refused to sanction the dismissal of Stanton cannot be very easily palliated. There seems to be no question that up to the time of his surrender of the office to Stanton, Grant left upon the mind of the President the impression that he accepted the office *ad interim* as his friend in order to help him get rid of Stanton. But now the general admits that he accepted it for the purpose of circumventing Johnson in his wish to appeal to the courts to rid himself of an obnoxious secretary. "This tacit deception," says the President, "is allowable in the ethics of some people."

But the most discreditable record of all is that of the protean Stanton. He has been pictured as one of the few reliable patriots in Buchanan's cabinet, the Atlas whose mighty efforts saved the Union from utter ruin before the inauguration of Lincoln, and as a great war secretary. His administrative ability does not seem to be questioned, but Mr. Dewitt presents a far different account of his political career. The picture here presented is that of a double-dealer, a two-faced man, to use no harsher terms, a man who always sought to be on the winning side. There is a strange ring about the patriotism which prompted him to write to Buchanan after the outbreak of hostilities and assure him that his policy had been vindicated and that "Jeff" Davis would soon "turn out the whole concern," referring to Lincoln's cabinet. While "cursing Mr. Lincoln himself with bitter curses" for suppressing freedom of speech, he was on terms of intimacy with the radical element of his cabinet and approving "important passages" recommending freeing and arming the slaves in their reports. At last he succeeded in working himself into Lincoln's cabinet, an appointment made with reluctance at the earnest solicitation of Secretary Cameron. Throughout the first two years of Johnson's administration he gave his support in most cases and his cordial acquiescence in others to the most of the President's plans, but at the same time kept up a sort of connection with the radical element in Congress. When the Tenure-of-Office bill was laid before the cabinet, no member was more emphatic than Stanton in his views as to its unconstitutionality. But soon after the passage of this bill he threw off the mask.

The shamelessness of the Senate is laid completely bare. That body was deliberately packed in violation of law and justice for the avowed purpose of bringing about condemnation. Senators declared their intention to vote for condemnation even before the evidence had been heard. Proof? What need of proof beyond "common fame," "common re-

port of misconduct"? Evidence vital to the defense was deliberately shut out. The pressure brought to bear upon doubtful senators to secure their votes for condemnation would have been unworthy of a Tudor Parliament passing a bill of attainder. This was done in no haphazard way, but systematically, by the "Union Congressional Committee," to which even senators belonged. But all to no purpose. In spite of a mosaic article patched up out of the others in the hope of securing the doubtful votes for conviction by the "obscurity of its charges and the intricacy of its forms," the one vote necessary was lacking, and Andrew Johnson was acquitted.

But the vindictive House was not satisfied. Spies had been set upon the President and Chief-Justice Chase, and now a movement was set on foot to investigate whether the acquittal had not been secured by bribery, pointing directly at Senator Ross. This, however, the Senate resented.

It is one of the ironies of history that the President's accusers should now stand condemned on the very charges which they brought against him — vindictiveness, coarseness, lack of dignity. While they were nervous, excited, peevish, irascible, and abusive, he was calm, dignified, even cheerful, demeaning himself as an extraordinary man. One thing in particular which is indicative of nobility of character was his suppression of the reason of Black's withdrawal from the defense at a time when this was being thrown in his face as a sign of the weakness of his cause. Is the reader surprised at this picture, or series of pictures, presented by the author? They appear to have been made up of material the reliability of which it would be hard to impeach.

In spite of the flimsy character of the charges, this trial was a highly dramatic event. The suspense of the country was intense and the commonly-accepted notion is that the same was true of the Senate until Senator Ross had answered "Not Guilty." Herein the author has shown his ability to appreciate dramatic effect and has imparted to the reader something of the suspense which held a nation's breath. There is a story to the effect that the suspense was not so great in the Senate, at least on the part of all; that, in fact, there was some kind of an arrangement for the acquittal of the President. However, this story, which is hardly more creditable to the Senate than the trial, has never been fully proved and does not deserve repetition here.

On the whole the style is good, but a few slips occur. The author refers to "Hancock's celebrated order" (p. 315), but does not explain what that order was. At page 325 he says that Grant had been "engaged in a conference with General Sherman and many little matters." He also tells us that "Sumner out with the naked truth" (p. 190). The expression "of like kidney" is rather offensive to a reader of refined taste.

DAVID Y. THOMAS.

Aus Eduard Lasker's Nachlass. Von EDUARD LASKER. Edited by Dr. Wilhelm Cahn. (Berlin: Georg Reimer. 1902. Pp. vi, 168.)

THE house of Georg Reimer in Berlin has distinguished itself more than once by undertaking the publication of historical material of the first order, independently of the question whether it might reasonably anticipate immediate pecuniary returns. One of its last contributions for which we venture to express the gratitude of students is the first part of Lasker's memoirs.

This first part covers the parliamentary activity between 1866 and 1880, years which may be said to represent the golden time of German constitutional government—the period during which Bismarck needed the liberal party for his schemes of national federation. In this liberal party he found the brains capable of popularizing a movement which had many opponents among those who dreaded any innovation. In those days the liberals of Germany were the warmest Bismarckians, for Bismarckianism was then synonymous with liberalism. In that golden age Bismarck paid his court to those who soon afterwards were publicly branded as traitors to the crown. We have but to recall such names as Mommsen, Wirthow, Bunsen, Bamberger, and finally Lasker. The student of modern Germany cannot afford to miss these pages of Lasker, for while he was a man little given to demonstrative activity, he was, like Bamberger, a keen observer, a man of profound study, a cool, impartial (*objectiv*), statesmanlike politician, and as such a reporter of his times who cannot fail to rank as first-rate authority.

It seems but yesterday that we had the pleasure of greeting Lasker in New York. It was in the winter of 1883/1884. He died in our midst, mourned sincerely by German liberals throughout the world. Such men as he are necessarily more rare in Germany than in England or America, for the reason that Germany offers scarcely any means of livelihood or distinction to any man who has not from babyhood been trained by a paternal government to think only what the government has first pronounced to be fit for thought. Much of Bismarck's greatness arose from the fact that his ambitions coincided with the convictions of Germany's most eminent thinkers. When, after 1876, Bismarckianism came to represent other aims, notably protection, then the thinkers of Germany, who did not change their manner of thinking to suit the exigencies of the Wilhelm Strasse found themselves denounced by the government as renegades, unpatriotic cosmopolitans, bad Germans—in short, every name that party bitterness could suggest.

Lasker's plea for free trade (p. 136) might well have been spoken on the floor of the American Senate as well as in the Reichstag, for it raises the controversy high above the mists of Bismarckian opportunist skirmish—up into the high and dry light of statesmanlike discussion. The protectionist arguments of Bismarck were from the standpoint of a single class or political fraction whose votes he needed. The language of Lasker is that of a statesman who as a member of the imperial parliament knows

no higher duty than that which he owes to the whole empire. Those who wish to understand the causes of Bismarck's ultimate fall in 1890 will seek for it in vain in the memoirs of the Iron Chancellor or in the writings of those who regard him as having been sacrificed to the ambition of his emperor. Bismarck was successful so long as his duties lay in exercising the talents which had earned for him the nickname of Iron Chancellor. When, however, after the adoption of the federal imperial constitution, other qualities besides those of the man of iron were needed, Bismarck commenced to move gently downward through a series of political errors which even he, with the whole machinery of a servile press and bureaucracy, could not wholly conceal from the public or from the penetrating eyes of the present Emperor. On this theme Lasker in the little work we are discussing throws many interesting side-lights.

POULTNEY BIGELOW.

Studies in Contemporary Biography. By JAMES BRYCE. (New York: The Macmillan Company; London: Macmillan and Company. 1903. Pp. ix, 487.)

THIS volume is intended especially for the general reader, but is also worth the careful attention of the historical student, not only because any fragment of Mr. Bryce's work is of interest, but because a historian who is also a prominent man of affairs here presents us with the cream of his personal experience in studies of the most prominent figures among his associates in the English public and scholastic life of the later nineteenth century. The selection may seem at times a somewhat arbitrary and uneven one, and from the point of view of the adequate representation of the author's notable contemporaries there are certainly important omissions; this is apparently due not only to the confining of attention to those who have died, but also to the degree in which the writer was guided by the element of personal knowledge. The list bears striking testimony to the wide extent of the interests and friendships of Mr. Bryce, since with most of the men here treated he was on an intimate footing. One or two names (as that of Edward Bowen, an assistant master at Rugby) that are unknown outside of comparatively narrow English circles are included. In the effort, as the author says, "to do what a friend can do to present a faithful record of their excellence which may help to keep their memory fresh and green." One is not inclined to cavil at such an effort, especially as in the case of Bowen the sketch serves to set strongly before the non-English (and particularly the American) reader how in England even a subordinate teacher in a great public school may in some degree become a national figure. We are warned in the preface that "these studies are not to be regarded as biographies even in miniature. My aim has rather been to analyse the character and powers of each of the persons described, and as far as possible, to convey the impression which each made in the daily converse of life."

There are in all twenty studies: Lord Beaconsfield, Dean Stanley, T. H. Green, Archbishop Tait, Anthony Trollope, J. R. Green, Sir

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George Jessel, Lord Cairns, Bishop Fraser, Sir Stafford Northcote, Parnell, Cardinal Manning, E. A. Freeman, Robert Lowe, W. Robertson Smith, Henry Sidgewick, E. E. Bowen, E. L. Godkin, Lord Acton, W. E. Gladstone. Critical examination is not necessary to show that we are under a large debt to Mr. Bryce for these studies. They are primarily records of the impressions made by recent famous Englishmen upon one of the most distinguished of their associates, a man who is also one of the most keen and cosmopolitan observers of his time; as such they could not fail to be helpful. They are all marked by insight and candor; whether Mr. Bryce is writing of close friends or of those (as Parnell) whom he evidently was not prepared to admit to his friendship, we can have no suspicion of his entire fairness. There is still evidence of special research, but this is in entire keeping with the aim of the author and the desire of the intelligent reader; even if the time had come for elaborate biographical labor in these cases, and even if we could desire Mr. Bryce to give his time to this, it is improbable that such effort would have made the sketches any more worth while to us. They are all carefully written, are in a high degree interesting, and are frequently marked by felicitous phrases and characterizations, by keen distinctions and telling generalizations. Not infrequently, too, we find valuable additions to our information on recent events from the vantage-ground of the author's inside knowledge; as when we are told of Parnell that "he had no grasp of constitutional questions, and was not able to give any help in the construction of a Home Rule scheme in 1886" (p. 230).

Two of the papers much exceed the others in extent and are manifestly the fruit of special effort — that on Disraeli, which opens the volume, and that on Gladstone, which closes it. There is nothing startling in either, but both are acute and penetrating and throw much light upon the men; it is not strange, perhaps, that neither is quite satisfying. The Disraeli one is somewhat unsympathetic, and it may be doubted whether Mr. Bryce was in a position to observe very fully or quite adapted to comprehend fully this baffling figure. He tells us in the preface that he did not know him personally. In the case of Gladstone one cannot but suspect our author of being still in some degree under the glamour of his great leader, and one doubts whether Gladstone will continue to hold in English annals the place that Bryce would assign him. However that may be, nothing could be more open-minded than the manner in which he discusses natures and careers the complexity and problems of which he feels very strongly; and no student of these men will do well to neglect his analyses. Next to these the most interesting sketches for students of history will probably be those of J. R. Green, Freeman, and Lord Acton. Green he rates as a great historian, much higher than the later period of distrust has left him; his comments on Freeman do not provoke dissent; and he throws some new light on the dim and attractive figure of Lord Acton.

On the whole it must be acknowledged that Mr. Bryce was fortunate in his friends, and that this group of latter-day Englishmen seem for the

most part to have been as wholesome and attractive in their personalities and personal relations as they were effective and vigorous in their life-work. Great and little, they form a pleasant and stimulating company.

VICTOR COFFIN.

England, India, and Afghanistan. An Essay upon the Relations, Past and Future, between Afghanistan and the British Empire in India. [The Le Bas Prize Essay, 1902.] By FRANK NOYCE, B.A. (London: C. J. Clay and Sons; New York: The Macmillan Company. 1902. Pp. xii, 174.)

THIS book, as the title indicates, is a monograph treating historically of one phase or division of the problem of Asia. The author deserves congratulations because of the motive with which the task was undertaken and because in no other place within so small a compass, certainly, has the question of Afghanistan in its unity been described for the student of world politics. Beginning with a brief introductory survey of the earlier relations of Afghanistan to India, Mr. Noyce summarizes in twenty pages the disastrous history of the first Afghan War. The middle period, from 1842 to 1875 (pp. 32-69), is followed by chapters on the second Afghan War, on the reign of Abdur Rahman Khan (1880-1901), and on the present state and future prospects of the problem. In the opening pages the author rightly points out the difficulty which the results of party government often place in the way of the investigator in modern foreign politics. A large part of the literature dealing with almost any British imperial interest of the last century has been affected not merely by national prejudice but by party rancor; thus even if ability and opportunity for accurate information be granted in certain writers, it may be necessary to discover their views concerning Parliamentary reform, the adoption of free trade, or Irish home rule, in order to judge whether their conclusions with respect to Papineau's rebellion, the labor question in Jamaica, or the Armenian massacres can be accepted as non-partizan. In this respect if not in others this book is safe; for the reviewer has tried in vain to discover the author's party affiliation. But, though praise and blame are on the whole fairly distributed to the various agents of the unstable policies evolved between Westminster and Simla, the general impression gathered is that national prejudice has not been so successfully eliminated. Aside from phrases here and there such as that found on p. 173 ("the contempt of the Mahomedan (*sic*) religion they [the Russians] have shown in Central Asia"), which is erroneous, the author has failed to realize that his inadequate treatment of Russian policy, which amounts almost to an exclusion, must result in the mystification of the reader as to the inwardness of Central Asian politics. The lack of any save English authorities (the *Autobiography of Abdur Rahman Khan* excepted) in the very short bibliography is further evidence of the insular attitude of the author, while such a reference as occurs on p. 124 to the "untutored Oriental" should certainly give pause.

It was inevitable that as British prestige and dominion increased in India, the sphere of British Asiatic policy should become continental as well as maritime. Yet the inauguration of diplomatic negotiations with both Persia and Afghanistan might well have been postponed for many years, had not Napoleon Bonaparte by his Egyptian expedition and later by his alliance with Russia alarmed English rulers in India. The author recognizes the influence of the French, but fails to show how thoroughly persuaded were such men of affairs as Henry Dundas (Lord Melville), the Marquis of Wellesley, Lord Nelson, and Sir John Shore (Lord Teignmouth) that British power in India was seriously endangered by Napoleon's plans, and that an active diplomacy in lands to the north and west of India was essential. The missions of Malcolm to Teheran and of Elphinstone to Kabul (1801, not 1802 as on p. 16) were results of Napoleonic politics. Later the substitution of Russia for France as the threatening European power further emphasized the importance of Afghan politics to British India. The summary of the period 1835-1876 is confused, though it shows appreciation of the necessity of the historical method in the study of a contemporary problem. The author condemns Lord Auckland unreservedly for the first Afghan War, but is uncertain regarding Lord Lytton's personal responsibility in 1877-1878. He states (p. 71) that Lord Lytton "knew singularly little of India when he started to govern it, and his opportunities for independent study were limited by the fact that he was chosen to be the instrument for executing a policy preconceived by his political leaders." But on the next page we find that "Lord Lytton was given a very free hand by his leaders," and on p. 98 a parallel is drawn between Bismarck's use of the Benedetti incident at Ems and Lytton's use of the Ali Masjid incident in 1878 — "in each case a scheming statesman was supplied with a pretext, for which he had long wished for bringing about a war he eagerly desired." The ignorance of Lord Salisbury and his ill-conceived assumptions in essential matters as shown in despatches (*Afghan Blue Book, 1878*, pp. 128, 224), when added to the mistakes of Lord Lytton, resulted in a diplomatic and administrative collapse from which only the army under Roberts could extricate the British. The twenty years of Abdur Rahman Khan are favorably reviewed; and in the last chapter the author after discussing various possible occurrences concludes that the *status quo* is safe for a time under Habibullah, and that Great Britain should continue to support an independent friendly government in Afghanistan as long as possible.

The book is written in a confused style, the language here and there being doubtful in point of grammar; and certain archaic forms of English spelling are found, such as "shew." In the matter of oriental names the results are distressing and often inconsistent, *e. g.* Vakil and Wali, Mohamed and Mohammedan. Throughout are found Moghul for Mughal, Mahratta for Maratha, Peishwa for Peshwa, Mahdaji Sindia for Mahadaji Sindhia, *jehad* for *jihad*, Mohamed for Muhammad, etc. General Abrahamoff (p. 89) may be a printer's error for Abramov.

However, in comparing this book with earlier Le Bas prize essays the reader will be impressed with the decided advance in method and scholarship, though he will regret that as the foot-notes have come in style has gone out.

ALFRED L. P. DENNIS.

A Short History of Rome. By W. S. Robinson, M.A., formerly Assistant Master at Wellington College. (New York, Longmans Green, and Company, 1903, pp. viii, 486.) The author declares in his preface that while wars and politics "are not, it is said, all the life of a nation . . . they are that part of its life which determines its fate, and it is in the behaviour of a nation in its wars and politics that we can study its character." Whether this dogma be correct or not, his book must be judged from the success with which he has carried out his own theory of historical interpretation. The principle thus enunciated has been applied with remarkable faithfulness and persistence. A chapter on Roman Literature, which is simply a chronological list of authors with very brief notices of each, and a similar chapter on Roman Life are the only exceptions. Even the many interesting questions of Roman constitutional history do not suffice to draw him aside for more than a few lines. Such a mode of treatment naturally brings individuals into prominence and gives an opportunity for the portrayal of the characters of the great men of Rome. The preface, again, explains that the attempt has been made "to tell the story so as to arouse some interest in the personal fortunes of the actors in the great drama of war and politics, which developed a single small republican state into a world empire under the sway of a single ruler." This promise is not fulfilled; clear, simple, and concise the style is, but it is at the same time dry, and the greatest men along with the least are very lifeless.

Of the four hundred and twenty-five pages devoted to political history, three hundred and sixty-four go to the period of the Republic. The later period "has been continued, with gradually decreasing detail, far enough to bridge over the gap between ancient and mediæval times." Much space is given to the early period. Here narrative alternates with the explanation that the story is more or less legendary; though explanation is sometimes omitted where it would seem particularly necessary, as in the case of the legend of the sacred geese (p. 57). Such is, of course, the usual method of careful scholars who still hold to the orthodox view of early Roman history; but it is unfortunate that such an elaborate process should be necessary, especially in a small book, to tell us that we know little or nothing of those centuries. The account of the wars and politics of the later Republic is the strong part of the book. The narrative of the last one hundred years is remarkably well balanced, but the consistent neglect of constitutional and social history sometimes puts the author in straits. The chapter on the establishment of the Principate is, however, excellent, showing that the neglect of constitutional history is not due to the inability of the author

to deal with it. The work ends at about the year 395. In spite of its omissions and its faulty proportions, teachers will find it a clear, careful, concise, and usable account of the political history of Rome. It has more than sufficient merit to make it worth while to supply its deficiencies from other books or by means of lectures. As a work of reference for school libraries it will also be of real value, for its treatment of individual themes is often unusually successful. A number of small but useful maps are inserted in the text. At the head of each chapter are lists of important dates and of prominent men. Now and then chronological summaries are given. This is the total of the teaching apparatus which is provided.

A. C. TILTON.

The Religion of the Teutons. By P. D. Chantépie de la Saussaye, D.D. [Handbooks on the History of Religions, edited by Morris Jastrow, Jr. Vol. III.] (Boston and London, Ginn and Company, 1902, pp. viii, 504.) Professor Saussaye, of Leiden, well known for his *Lehrbuch der Religionsgeschichte*, here presents a study of Teutonic heathenism, tracing its history down to about A. D. 1000, when the various tribes had been at least nominally Christianized. Professor J. B. Vos, of Johns Hopkins University, is responsible for the English dress in which the book appears. The author divides his materials into two parts: first, a history of the periods and peoples, embracing eleven chapters, which have appeared also in Dutch; and secondly, a discussion of the facts respecting the deities, myths, cults, etc., embracing ten chapters, followed by a conclusion. There is a select but extensive bibliography, and a good index.

The book is evidently tentative, as indeed it must be in view of the incomplete nature of the evidence at present available in this field. The linguistic and archæological evidence for Teutonic origins is very cautiously handled, and the same may be said of the statements of Roman historians and geographers. Our author hesitates to make any very definite affirmations respecting the "prehistoric period," or to draw inferences from the names of the deities. The favorite theories about the original home of the Teutons and their race migrations are treated with critical impartiality, and with general skepticism. No parallelism between Teutonic and Slavic myths is admitted, nor will the author attempt to define the boundary between Kelt and Teuton, although he admits that such a boundary may now be said to exist. He recognizes a "genuine Teutonic kernel" in the heroic saga (Beowulf and the Edda), but there is also much later accretion. The religious elements are all relatively late. The debt of modern civilization to the Teutons is rightly declared to be insignificant, as compared with that to the classic world and to Christianity. The book is distinctly conservative, but none the less valuable. It marks a real advance toward a sounder knowledge of Teutonic antiquity and religion than we have hitherto possessed.

J. W. P.

A History of the American Church to the close of the Nineteenth Century. By the Right Reverend Leighton Coleman, S.T.D., LL.D., Bishop of Delaware. (London, Rivingtons, 1903, pp. 112.) The American Church which the Bishop of Delaware has in mind is, as he remarks in his preface, "known in law as the Protestant Episcopal Church." As a contribution to the series known as "The Oxford Church Text Books", the manual is accommodated to the point of view of the Anglo-Catholic party. The term Puritan is used interchangeably with Dissenters, and in the author's use of it includes Quakers, Anabaptists, and a motley array of minor sects. The spread of the Anglo-Catholic spirit is shown in considerable detail, but there is a total omission of the name of Phillips Brooks. Bishop Coleman's incapacity for writing history is shown by his allegation that the Puritans, having stipulated the conversion of the Indians as one of the main objects of their charters, "showed, upon their arrival in New England, but little regard for the spiritual welfare of these ignorant people. They were described by opprobrious epithets and at times cruelly assaulted and murdered." Dr. Coleman apparently has never heard of the missionary legislation of the Massachusetts General Court in 1644 and 1646, of the work and office of Gookin, of the missionary zeal of Roger Williams, or of the Mayhews. It would appear, however, that knowledge or ignorance is a matter of selection, for Eliot's missionary work and its large results are credited to the Church of England on the ground that Eliot before leaving England had been ordained in the Church of England.

FRANCIS A. CHRISTIE.

The Lords Baltimore and the Maryland Palatinate. By Clayton Colman Hall, LL.B., A.M. (Baltimore, John Murphy Company, 1902, pp. xvii, 216.) For this little volume we are indebted to the Maryland Society of the Colonial Dames of America, which made provision for the six lectures contained in it; to the faculty of Johns Hopkins University, who selected the particular subject and appointed the lecturer; and to Mr. Hall, who first delivered the lectures at that university and later gave them to a larger public in the form in which we now have them. In preparing these lectures Mr. Hall undoubtedly looked more closely into the *Calvert Papers* than had any previous writer in this field, and the result is that he has here and there thrown some new light on the personalities of the Lords Baltimore and on the dispute over the boundary between Maryland and Pennsylvania. Other than this, the chief value of his work lies in his cautious, concise, and dispassionate narration of many interesting events in the history of colonial Maryland.

The first lecture tells of George Calvert, the first Lord Baltimore — his education, his service to King James I., his conversion to the Roman Catholic faith, his unsuccessful attempt to found Avalon, his successful application for the Maryland charter, closing with an estimate of his usefulness and true worth. The second and third lectures are devoted to an account of the administration of the government during the proprietorship of Cecilius, second Lord Baltimore. In them the author

enumerates the lord proprietor's powers and Cecilius's first instructions, tells of his troubles, discusses the steps taken for the promotion of religious toleration, and gives the judgment of each of several writers on Cecilius's character. The fourth lecture continues the narrative under the administration of Charles, third Lord Baltimore; and from the way in which Charles contended with his difficulties the author passes judgment on his personality, which is pronounced inferior to that of his father. The next lecture tells of the conversion of Benedict Leonard, fourth Lord Baltimore, to the Protestant faith, and the consequent restoration of the proprietary government six weeks before his death. Then we are given glimpses of the disrepute in which the last two Lords Baltimore—Charles and Frederick—were held in England, and told of the surprising ignorance through which the former was defrauded by the Penns, and how the latter, convicted at the bar of public opinion of an infamous crime, cared nothing for Maryland except as a source of revenue. The sixth and last lecture portrays the manners and customs, the social and economic life of the entire colonial period.

As a contribution to historical literature the value of these lectures might have been much increased had the author made only the personalities of the Lords Baltimore the ever-central object of his study, dwelt only on such events as the lord proprietor for the time being was directly responsible for, sought the motive of his action in every such case, and so enabled himself to give us more penetrating views of these men. Instead of this, it is clear that he had two points of view—at one time the personality of a lord proprietor, at another the mere progress of events—and has shown us only a loose general relation between the two.

NEWTON D. MERENESS.

Prince Charles Edward Stuart, the Young Chevalier. By Andrew Lang. (London, New York, and Bombay, Longmans, Green, and Company, 1903, pp. xii, 476.) We are much indebted to Messrs. Longmans, Green, and Company for putting within the reach of the ordinary reader another of the magnificent Goupil series of illustrated biographies, which so happily combine artistic bookmanship and scholarly excellence. In 1875 Mr. A. C. Ewald published his exhaustive two-volume work, *The Life and Times of Prince Charles Stuart*, based largely on the state papers in the Record Office, and on such of the *Stuart Papers* as were then in print. While he added not a little to our knowledge on the subject, it was thought, even at the time, that there was still room for a future work in the same field. Mr. Lang in undertaking the task has had the advantage of access to material hitherto unused, notably the whole correspondence covering the years 1720 to 1786, and other manuscripts, now at Windsor Castle, of the exiled house of Stuart. In addition to other new sources of information the author has been assisted by his studies in preparation for *Pickle the Spy* and *The Companions of Pickle*.

The work now before us is a biography in the most restricted sense: larger issues, international intrigues, conditions in England, Scotland,

and France, and the whole tangle of political, social, and religious considerations which contributed so much to determine the fate of the movement centering in the years 1745-1746 have not been altogether neglected; but they have been distinctly subordinated in order that the main emphasis might be laid on the personal life and adventures of Charles. Doubtless this method of treatment is justified, both from the requirements of the series and from the fact that the public aspects of the question are those best known. Still Mr. Lang's besetting fault is a bit too much in evidence; of overcrowding his pages with detail and frequently confusing the reader with discussions of minute points. However, the narrative is vigorous and dramatic and tells us much that we have wanted to know of the prince and his adherents; of the dissensions among the clans and among the generals during the invasion; of Charles's wanderings through the Hebrides from April to December of 1746; and particularly of the obscure period after the prince left Avignon in 1749. By the publication of a proclamation dated 1759 we are enabled to have Charles's own account of the reasons for his conversion to Protestantism in 1750. In this volume is brought out, more convincingly than ever before, the steady degeneracy of the prince, how after a period "first of gallant adventure, then of darkling conspiracy, then of ruin," he became "a poor, despised, forsaken, unacknowledged, exiled king." His character broke down under the irony of circumstances and from too much cherishing of an impracticable ambition. After the failure of his great effort he came to distrust every one, and instead of returning to a dignified though renownless position in Rome, he spent his best years "in a life of lurking, where his active spirit and body were first devoured by indolence, and then ruined by the desperate resource familiar to extreme poverty and extreme despair." In conclusion it is pleasant to note Mr. Lang's opinion that the characters of James and the cardinal gain rather than lose by study.

ARTHUR LYON CROSS.

Les Combattants Français de la Guerre Américaine, 1778-1783. Listes établies d'après les documents authentiques déposés aux Archives Nationales et aux Archives du Ministère de la Guerre. Publiées par les soins du Ministère des Affaires Etrangères. (Paris, Ancienne Maison Quantin, 1903, pp. xii, 327.) Through the active efforts of the National Society Sons of the American Revolution and the sympathetic offices of the French government this exhaustive list of the French sailors and soldiers who assisted the American forces in the Revolution is made possible. It is a rather sumptuous volume in folio, and garnished with some ten full-page portraits and other illustrations, which, however, are not listed in the table of contents. It might be too much to expect an index of names, but it would have been very useful, and that is the quality for which society publications of this kind may most deserve our gratitude. There is a short historical introduction by M. Henri Mérou, French consul at Chicago, at whose initiative the work was undertaken. An edition of

eight hundred copies has been published, of which two hundred and seventy-five have been placed at the disposal of the United States Department of State.

B. A. F.

Mémoire sur ma Détention au Temple, 1797-1799. Par P.-Fr. de Rémusat. Publié pour la Société d'Histoire Contemporaine, avec introduction, notes et documents inédits, par Victor Pierre. (Paris, Alphonse Picard et Fils, 1903, pp. xlii, 191.) This volume is the fourth by M. Pierre in the same field of history. Two, *18 Fructidor* and *La Déportation Ecclésiastique sous le Directoire*, published by the Société d'Histoire Contemporaine in 1893 and 1896, were preceded in 1887 by a work on the terror under the Directory. Of the present volume the central figure, Pierre François de Rémusat, is little known and, save as a victim of the Directory, not of interest to history. Born at Marseilles in 1755, he availed himself of commercial interests in the Levant to spend the stormier years of the Revolution, under passport, in Smyrna and Italy. On his return to France in 1796, he was elected to the Five Hundred for the Bouches-du-Rhône. This election, with others, was annulled arbitrarily after the 18 Fructidor (September 4, 1797), and Rémusat himself, arrested in October, 1797, was through Merlin de Douai detained groundlessly in the Temple, as a conspirator and émigré, until the latter's fall on the 30 Prairial (June 18, 1799). Rémusat thus barely escaped execution only to die in 1803 of a disease contracted during this imprisonment. The memoir, with a list of his fellow-prisoners—amongst them was Admiral Sir William Sidney Smith—he wrote within two months after his release. It has literary merit, and as a record of the events of which it treats it is unique in its fullness, accurate, and singularly free of rancor. At one point Merlin de Douai is called a cannibal. This epithet, applied to one who had sought Rémusat's life, is mild enough in a manuscript that was never designed for the public. Only fourteen years after Rémusat's death his brother published the memoir, preceded, in a single volume, by a quantity of indifferent verse, to the writing of which Rémusat, despite his commercial origin, was slightly addicted. As a result of this order, although by several critics the superior merit of the memoir was recognized at once, the volume, in the catalogue of the Bibliothèque Nationale, is entombed with the poets. Copies of the original edition are rare. By this reprint, with a suitable introduction and an appendix of hitherto unpublished documents relating to Rémusat, M. Pierre has practically restored to publicity a valuable, interesting, forgotten work.

H. M. BOWMAN.

Some account of the commemorative proceedings held on Marshall Day, 1901, in the various states of the Union, and the addresses given in honor of John Marshall have been published in three substantial volumes, the main title of which is *John Marshall, Life, Character, and Judicial Services*. (Chicago, Callaghan and Company, 1903.) Included with the centennial addresses are the orations of Binney, Story, Phelps, Waite, and Rawle. Especially noteworthy is the introduction by John

F. Dillon, in which certain vexed legal questions of peculiar interest to historical students are considered. Mr. Dillon holds that the method followed by Marshall in giving the decision in *Marbury vs. Madison* was entirely regular and satisfactory, that the chief-justice would not have been justified in declaring that the court had no jurisdiction because of the unconstitutionality of a clause of the Judiciary Act, until other aspects of the case before the court had been considered, inasmuch as it is improper to declare an act of the legislative void unless the necessity is absolutely imperative; that is to say, unless there is no other ground on which a decision of the case can be placed. The course of Marshall in issuing a subpoena to President Jefferson is also upheld. "No such divinity doth hedge" the President," says Mr. Dillon, "that by virtue of his office he is, in criminal cases, totally exempt from judicial process requiring his attendance as a witness" (I. xxxvii). Professor Thayer in his address, also here published, presents different views (I. 232).

Moses Greenleaf, Maine's First Mapmaker. A Biography: with Letters, Unpublished Manuscripts, and a Reprint of Mr. Greenleaf's rare Paper on Indian Place-Names. Also a Bibliography of the Maps of Maine. Edited by Edgar Crosby Smith. (Bangor, printed for the De Burians, 1902, pp. xxiii, 163.) The scope of this book is well expressed in its title. It is a monograph, elaborated with loving minuteness and some of the exaggeration inevitable with a local biographer, of the life and work of a man highly deserving of honor in his own state, though hardly known beyond its limits. Moses Greenleaf was born in Massachusetts in 1777, removed to the District of Maine in 1790, settled at Williamsburg in 1810, and devoted the remainder of an industrious life to the advancement of the interests of Maine, chiefly through the collection and publication of statistical and geographical information about the state. He was a fine example of the pioneering squire found always on the advancing margin of Anglo-Saxon civilization, with the strong individuality, public spirit, and faith in his country characteristic of such men. Under great disadvantages he produced his two books, *Statistical View of the District of Maine* (1816), and *Survey of the State of Maine* (1829), together with his remarkable map of 1815 and others of later date. These various works, compiled with the greatest care and all possible completeness, supplied information hitherto wanting or inaccessible about the state and its resources, thus contributing greatly to its development, and they are of fundamental importance to the historian and geographer of Maine.

The interest of the volume under review will of course be chiefly local. To the student outside of the state it will have some value for its accurate synopses of Greenleaf's not very common books, for the account of his important map of 1815, and for the "Bibliography" of maps of Maine. The latter, while no doubt the most elaborate list hitherto published, is very far from complete. The period from 1610 to 1744 is a complete blank, although numerous important maps of that time belong within the scope of the list, which suffers, furthermore, from its monot-

onous typography and consequent difficulty of reference. The letters and unpublished manuscripts mentioned in the title are purely personal records of Mr. Greenleaf's life, and the paper on place-names, while of some antiquarian, is of slight philological interest.

The volume is pleasing in appearance, tasteful though not immaculate in typography, and appropriately illustrated. It is the second of a series issued by a club of book-lovers, one of whose objects is to commemorate worthy men of the state. For a local society certainly no object could be more commendable.

W. F. GANONG.

Mazzini, by Bolton King (London, J. M. Dent and Company; New York, E. P. Dutton and Company, 1902, pp. xxiii, 380), is the first volume of the Temple Biographies, practically a new series, edited by Dugald Macfadyen. The editor states in his preface that the object of the series is to "bring together studies in the lives of men who have, by common consent, achieved the greatness which belongs to character rather than to status or circumstance" (p. vii), or again, "lives which have this double aspect; on one side commanding interest for the service which they have rendered to their kind, and on the other respect for their achievement of character" (p. xi). Certainly Mr. King has set a high standard (for a series), and if the editor is as happy in fitting author to subject in the succeeding numbers, the enterprise will be successful in a marked degree. Mr. King is undoubtedly the first of English scholars in knowledge of nineteenth-century Italian history; and in the present volume there is exhibited the wide information, exactness in detail, and carefulness of judgment for which his *History of Italian Unity* has prepared us. To these qualities may be added a judicious sympathy that leaves the reader with a more intimate sense of the man and his work than follows the reading of any other book in English on Mazzini. It is, however, scant praise to say that Mr. King's life of Mazzini is the best one in English; apart from any comparison, it is an excellent work in itself. Something over half the book (222 pp.) has been devoted to a careful and interesting chronological account of Mazzini's life. The rest of the book is devoted to a systematic elucidation of Mazzini's thought as exhibited in his writings, together with a bibliography of those writings, and a final chapter containing a general estimate of Mazzini as a man. The discussion of Mazzini's thought is divided into chapters dealing with Religion, Duty, The State, Social Theories, Nationality, and Literary Criticism. There is a certain artistic loss, though perhaps a practical gain, in thus separating the active life of a man from his thought; and we doubt whether the result justifies the author in adopting this plan. It might also be suggested that Mr. King has assumed a greater familiarity with general Italian history than his readers will be found to possess. He is at little pains to outline the historical background; and the book can be satisfactorily used by the general reader only in the light of the author's *History of Italian Unity*. The index is poor. Yet these are small matters. The work is on the whole excellent. From the book-

lover's standpoint the series will do credit to the publishers, no small part of which credit, if we can judge from the present volume, will be due to the character of the illustrations that are to accompany it.

CARL BECKER.

Life of Rear Admiral John Randolph Tucker. By Captain James Henry Rochelle. (Washington, The Neale Publishing Company, 1903, pp. 112.) This brief account of the life of Rear-Admiral John Randolph Tucker, written by his official subordinate, comrade, and friend, Captain Rochelle, is a tribute of loyalty and affection. Appointed a midshipman from Virginia in 1826, when fourteen years old; resigning when a commander thirty-five years later, upon the outbreak of the Civil War, to become a commander in the Confederate navy, and eventually reaching the grade of flag-officer in that service, then to serve as rear-admiral in the Peruvian navy during the short war with Spain — this in briefest outline is the naval story of Admiral Tucker's life, a sort of track-chart of his wide sea-wanderings.

In the Mexican War he served in the bomb-brig *Stromboli*, commanding that vessel during the latter part of the war, and took part in the capture of Tobasco and in various other naval operations. In the Civil War he commanded the Confederate gunboat *Patrick Henry* and took part in the first engagement between the *Merrimac* and the ships and batteries at Hampton Roads. When the Confederate vessels in James River were dismantled and abandoned, their crews and guns were utilized at Drewry's Bluff, where they successfully resisted the efforts of the Union vessels to ascend the river. After this Commander Tucker was given command of the iron-clad steamer *Chicora* at Charleston. This vessel and her sister ship, the *Palmetto State*, made a successful attack upon the wooden squadron then blockading Charleston and caused a brief interruption of the blockade, but the low speed of these two vessels prevented them from being a serious menace to the investing fleet.

It is interesting to read that when serving in the Peruvian navy he strongly urged the allied governments of Peru and Chili to despatch an expedition against Manila, the far-away and ill-defended outpost of Spain, pointing out how easily success might be achieved and how great its probable consequences.

Upon leaving the naval service of Peru he performed adventurous and valuable service in exploring the upper Amazon, securing data for its more perfect charting, and thus marking out a practicable route for Peruvian commerce to follow from the Andes down the river to the sea. This service done, he returned to his home in Virginia, and there, after a few peaceful years, he died in 1883.

The written story of his life contains nothing of a controversial nature, adds little to general history, and is chiefly valuable to his family and friends as the memorial of a noble man and gallant officer, one of the many unfortunate but not undeserving whose lives were saddened by a divided duty when the call to arms was heard in 1861.

Contemporary France. By Gabriel Hanotaux. Translated by John Charles Tarver. Vol. I. 1870-1873. (New York, G. P. Putnam's Sons, 1903, pp. xv, 696.) This volume might well have had for a subtitle "Thiers," since it is so completely, and very justly, occupied with the deeds of the first president of the republic for the years which it covers. Thiers is not merely the most notable, but almost the only statesman to be taken into account in writing the history of the establishment of the Third Republic, the liberation of the territory from German troops, and the devising of means for raising and paying the enormous war-indemnity. The author, moreover, for many reasons possesses exceptional qualifications for writing the history of contemporary France; but more particularly because his experience as an exceptionally successful minister for foreign affairs has given him a knowledge of government and politics that is often quite valuable in threading one's way through the mazes of current events.

Although nominally dealing with the period from September 4, 1870, to May 24, 1873, the volume becomes of real service to the student only from February, 1871. The overthrow of the Empire, the siege of Paris, the provisional government—subjects all of the first importance as affecting subsequent events—are discussed rather than narrated or explained; so for this part of the book the reader needs to possess a considerable previous knowledge. But for the two and a fourth years really and adequately treated, the narrative is full and generally satisfactory. It is, however, largely narrative, with no considerable attempt at broad and illuminating generalization, for which the author demonstrates his capacity in the first chapter.

In view of the fullness of detail with which M. Hanotaux has treated these two eventful years, it seems almost petty to offer a minor criticism; and yet the student of economic history cannot help lamenting the absence of a careful explanation of the method by which the five milliards were transferred from France to Germany, and of the relation which this unprecedented monetary transaction bore to the financial crisis of 1873. But this is a small matter as compared with the value of the book as a whole. Other leading topics, besides the liberation of the territory and the payment of the indemnity, are the reorganization of the army and the first steps towards the establishment of a republican form of government; in all these undertakings Thiers proved himself indispensable to France, as Hanotaux easily shows. Vivid pen-pictures of Thiers and other prominent men of the period add materially to the interest and value of the book.

The total impression of this volume is that the author has added not a little to our stock of information, but he has written a light, popular, almost journalistic book, and not a scholarly work. On this account it is especially unfortunate that the translation should be so crude; on almost every page one is painfully aware that it is a translation. French words, phases, constructions, and paragraphing confront one at every step—not in the original French, to be sure, but in a strict literalness

of translation betokening hasty and apparently unrevised work, together with a carelessness of proof-reading that adds to the discomforts otherwise sufficiently abundant.

CHARLES F. A. CURRIER.

The Making of Our Middle Schools. By Elmer Ellsworth Brown. (New York, Longmans, Green, and Company, 1903, pp. xii, 547.) This book is not so much the work of a man intent only upon writing a record, as of one seeking also practical leadings. However, in this case at least, the history is not the worse from the writer's anxious lookout for meanings and lessons.

Beginning, as properly he must, with the grammar-schools of Old England at the time of the Renaissance, Dr. Brown goes on to a succinct but sufficient and lifelike picture of our earlier and later colonial grammar-schools and the school systems of which these were a part, as well as of the masters and "scholars" and studies that made up the schools. In a number of chapters he then describes the next phase and period of our secondary educational history, that of the academies. Here again, however, he rightly goes back to the mother-country for his beginnings, yet brings out with admirable clearness how completely characteristic a product the American academy was, with its provincialities of practicality, patriotism, and eloquence, and with — what is of more moment — the unhampered informality of its founding, involving, as it did, a minimum of governmental intervention and a maximum of private initiative. In its homely, wholesome, steady regard to the broader, genuinely popular need in education, it was an expression not simply of American rawness, but of the American genius of individualism, and the rising tide of American democracy. Having followed the academy through its dominance from the period of the Revolution clear down to the Civil War, the writer goes back to trace the movement toward public control from its sporadic beginnings down to its overshadowing triumph in the present-day public high school. The attempt is made to disclose the reasons for the rise of the latter, to catch its enforming spirit, and to disentangle the threads of its complex growth and tendency at the present hour. The author in no wise forgets, however, to keep record right along of all the accompanying special developments — all manner of private, denominational, military, technical, and other schools — so that his presentation may be complete, and the estimate and outlook with which he closes may have a soundly objective and reasoned basis.

This book, without any impairment of its scientific character, introduces us to the ethos and human quality of the epochs it portrays. It possesses likewise some distinct philosophic sense, and is capable of the forward as truly as the backward look. The student seeking acquaintance with the genesis and the genius of our American secondary education will find here a valuable guidebook.

GEORGE REBEC.

History and Civil Government of Louisiana. By John R. Ficklen, B.Let., Professor in Tulane University. (Chicago and New York, Werner School Book Company, 1901, pp. iii, 383.) Two qualifications

are necessary for the successful compilation of elementary books of history — familiarity with the subject, and a power of clear exposition. These are both possessed by the writer of the book under review. The labors of Professor J. R. Ficklen in the field of Louisiana history date from his election to a professorship in the old Louisiana University, and have been kept up unremittingly to the present. So far as the history of a state for two hundred years can be given in one hundred and fifty pages, the work is eminently satisfactory. The main difficulty was in the proportional treatment of the details, and this difficulty has been successfully met. The history of Louisiana offers little opportunity for novelty of treatment. The originality of the work lies in the clear statement of the civil government, which is the best existing summary of the conditions prevailing in the state to-day. Such a book should have been supplied with an index. The heading "title-index with questions" on the last two pages, is misleading. On the whole the book is to be recommended highly to small libraries as a fair and trustworthy history of the romantic development of Louisiana from colony to state, and of its evolution through the less varied but not less important events of the nineteenth century.

WILLIAM BEER.

Centralizing Tendencies in the Administration of Indiana. By William A. Rawles, Ph.D. [Columbia Studies in History, Economics, and Public Law, Vol. XVII., No. 1.] (New York, The Columbia University Press, The Macmillan Company, 1903, pp. 336.) In the above monograph Professor Rawles has shown the tendency towards centralization in the various departments of state activity in Indiana. The monograph embraces a study of state administration in connection with education, charities and correction, medicine and hygiene, taxation, and police power. The author has made a careful study of the laws of the state and territory, and has noted the various steps by which the present centralization in administration has been effected. He has established two points: first, that the tendency in the state administration has been strongly towards centralization; and second, that this centralization has resulted in economy and efficiency. The work has been done with thoroughness and good judgment. The evidence has been carefully weighed, and the conclusions are conservative and tenable.

It is interesting to note in this connection that other writers in the series to which this volume belongs have noted similar tendencies in other states. It is to be hoped that additional studies of the same character will proceed from the department of political science of Columbia; as it is only by such monographs as these that comprehensive treatises are made possible.

T. F. MORAN.

Puerto Rico has long enjoyed the happiness of having no history, and the effort to supply the lack in the "Expansion of the Republic" series (*History of Puerto Rico*, by R. A. van Middeldyk, edited by Martin G. Brumbaugh, New York, D. Appleton and Company, 1903, pp. xvii, 318) will not seriously contribute to a disturbance of its former

condition. Mr. van Middeldyk is the librarian of the free public library at San Juan, and from the material there accessible he has compiled a summary of the island's annals, from which the reader may derive a good idea of the conditions under which it alternately developed and stagnated during the past four hundred years. The author's knowledge of Spanish seems to be quite as complete as is his command of English, and his style and vocabulary leave no doubt that neither is his native tongue.

G. P. W.

Volume XVI., New Series, of the *Transactions of the Royal Historical Society* contains the papers read before the society at its monthly meetings from November, 1901, to June, 1902. Dr. G. W. Prothero's presidential address is notable for discriminating though brief estimates of five distinguished historians recently deceased — Bishop Creighton, Bishop Stubbs, Lord Acton, Dr. S. R. Gardiner, and Mr. R. C. Christie, and also for a résumé of the activity of the society during the year in question, particularly in connection with the establishment of a school of historical research in London. Partly through their efforts an initial step in this direction has been taken by the foundation of two lecture-ships, one in paleography, diplomatics, and historical sources, the other in historical method. In his paper on "Some Materials for a new Edition of Polydore Vergil's History" Father Gasquet describes a manuscript in the Vatican archives, evidently the original draft of Polydore's first printed edition of 1534. The other contributions to the volume are: "The Internal Organization of the Merchant Adventurers of England," by W. E. Lingelbach; "The High Court of Admiralty in Relation to National History, Commerce, and the Colonization of America — A. D. 1550-1650," by R. G. Marsden; "The State Papers of the Early Stuarts and the Interregnum," by Mrs. S. C. Lomas; "An Unknown Conspiracy against Henry VII.," by I. S. Leadam; and "The Social Condition of England during the Wars of the Roses," by V. B. Redstone.

NOTES AND NEWS

As was stated in the July number of the REVIEW, the office of the managing editor is henceforth to be in Washington, D. C. Correspondence should be addressed in care of Carnegie Institution.

The Nineteenth Annual Meeting of the American Historical Association will be held, in conjunction with the American Economic Association, at New Orleans, Tuesday, Wednesday, and Thursday, December 29, 30, and 31. The tentative programme includes, among other features, a session Tuesday morning on "The Mississippi Valley and the Southwest," with papers by Professors Sloane and Turner and Messrs. W. W. Howe, P. J. Hamilton, W. F. McCaleb and R. G. Thwaites; a session Wednesday morning on "The Study and Teaching of History in the South," with ten-minute addresses by Professors Bassett, Dodd, Garrison, Jameson, Salmon, and others; a session Wednesday afternoon on "European History," with papers by Professors Robinson, Fling, H. E. Bourne, Haskins, and probably Stephens; and a session Thursday morning on "American History," with papers by Professors Farrand, Ficklen, and Johnson, and probably Dean Wells of New Orleans. There is also a session on "Diplomatic History," planned for Wednesday evening; and two joint meetings, one Tuesday evening, when the annual president's addresses will be given, the other Thursday evening, when Professor Giddings will read a paper on "The Relation of Sociology to History and Economics." This subject is to be discussed afterward by four economists, and by Professors Hull of Cornell and West of Minnesota. Arrangements have been made by the local committee to receive the members of both associations as guests of two local clubs, and a special local committee has been appointed to confer with Miss Tarbell for the comfort and entertainment of ladies who may attend the meeting. After the session Thursday evening Tulane University will tender a large reception in its new library building. The railroads south of the Ohio and Potomac have already agreed to sell tickets on the certificate plan at the rate of a single fare plus twenty-five cents, and it is hoped that the other railroads will grant the same rate. Also the most reasonable terms have been secured for two special trains, from New York and Cincinnati respectively, by which it will be possible to combine the trip to New Orleans with a visit to other southern points of special interest. Sufficiently long stops will be made at the places visited, the entire trip will occupy nine days, and the return will be by a different route. However, final arrangements for these trains cannot be made unless a minimum of seventy-five passengers for each of them is secured, and all who may be interested in this plan should write immediately to Professor E. R. A. Seligman, 324 West 86th Street, New York City.

Frederick Law Olmsted, who died August 28 in his eighty-second year, was a man of most varied activities, although he is most generally known for his remarkable achievements in beautifying the landscape of many parts of our country. However, his observations during a horse-back trip through the south in the early fifties, published in *A Journey in the Seaboard States* (1856); *A Journey through Texas* (1857); *A Journey in the Back Country* (1860); and in the subsequent digest of all three, *The Cotton Kingdom* (1861), make him the leading authority to whom historical students must always refer for contemporaneous and first-hand accounts of the agricultural resources of the south on the eve of the Civil War, and for the effects of slavery in the agricultural system.

Colonel G. F. R. Henderson, who died at Assoun, Egypt, March 6, 1903, was favorably known to American students as the author of *A Tactical Study of Fredericksburg* and of *Stonewall Jackson and the American Civil War*. For many years director of military art and history at the Staff College, Colonel Henderson had been since 1900 director of military intelligence in South Africa.

Professor Edward Channing of Harvard University is to devote his sabbatical year to his large history of the United States, the first volume of which, covering the period from 1660 to 1760, may be expected in 1904. During the second half-year of Professor Channing's leave of absence Professor Frederick J. Turner, of the University of Wisconsin, will work at Harvard.

Mr. Everette Kimball, assistant in history at Harvard University, goes to Wellesley for the forthcoming year to take charge of the work of Miss Elizabeth Kimball Kendall, who is to have a year's leave of absence.

In the absence of Professor Carl R. Fish, Professor James A. Woodburn, of the University of Indiana, will during the first semester give courses in American history at the University of Wisconsin.

The work at the University of Michigan of Professor A. C. McLaughlin, who is to spend the ensuing year at Washington, is to be undertaken by Dr. C. H. Van Tyne, formerly teaching fellow in the University of Pennsylvania. In addition, a series of lectures is to be given by Professors Hart, Jameson, Turner, and McLaughlin.

Professor Theodore C. Smith has resigned his position at the Ohio State University to accept a professorship in Williams College.

Dr. G. T. Lapsley, recently of the University of California, has become assistant professor in the University of Pennsylvania.

The numerous contributions by Lord Macaulay to the *Edinburgh Review* supply the contents of three volumes lately issued by Messrs. Methuen (London): *Critical and Historical Essays*, edited, with introduction, notes, and index, by F. C. Montague.

Messrs. Calmann-Lévy (Paris) announce a "Nouvelle Collection Historique" at four francs the volume, and begin it with *Choiseul à Rome*, by Maurice Boutry; a series of hitherto unpublished letters and memoirs.

applying to the years 1754-1757 and relating to a subject lately of special interest, the conclave.

The remarkable work of Professor Friedrich Ratzel on *Politische Geographie*, with thirty-nine maps, has been published in a second and revised edition (Munich, Oldenbourg).

The Bibliographer, which was edited through the first four numbers by Mr. Paul Leicester Ford and after his tragic death well kept up by Miss Caroline Shipman, suspended publication with the June number. It is regrettable that Messrs. Dodd, Mead, and Co. could not find sufficient support for this enterprise.

Professor Richard T. Ely in his *Studies in the Evolution of Industrial Society* treats in part of the different stages in the progress of society from what is supposed to be the earliest savage state. The major portion deals with some special problems of industrial evolution, such as competition, monopolies and trusts, inheritance of property, municipal ownership. The book is one of "The Citizen's Library", published by The Macmillan Company.

Another large history on the coöperative plan has been undertaken, this time in Germany: *Handbuch der Mittelalterlichen und neueren Geschichte*, edited by two well-known scholars, G. von Below and F. Meinecke. The prospectus exhibits a plan by which medieval and modern European history will be treated in forty-two volumes, distributed as follows: "Allgemeines", eight; "Politische Geschichte", nine; "Verfassung, Recht, Wirtschaft", sixteen; "Hilfswissenschaften und Altertümer", nine. Also simultaneously with the announcement of the entire collection, one of its volumes—the last in the plan—has been published: *Das häusliche Leben der europäischen Kulturvölker vom Mittelalter bis zur zweiten Hälfte des 18. Jahrhunderts*, by Alwin Schultz, of the German University of Prague. The publisher is R. Oldenbourg, Munich.

The translation of Seignobos's *Feudal Régime* having been favorably received, Messrs. Henry Holt and Company have decided to make it the first number of a series of similar publications, to be called "Historical Readings" and to be edited by Earle W. Dow. The series is designed to provide, in a form that may be convenient especially for use in classes, good short treatments of important subjects in history, and suitable collections of sources. The second number, ready this fall, is an account, taken from Wilhelm Roscher's *Kolonien, Kolonialpolitik und Auswanderung*, of Spanish Colonization in America: *The Spanish Colonial System*, translation edited by Professor Edward G. Bourne.

By way of homage to M. Léopold Delisle, many persons on both sides of the Atlantic united in offering him, on the fiftieth anniversary of his service in the Bibliothèque Nationale, an exhaustive bibliography of his works: *Bibliographie des Travaux de M. Léopold Delisle* (Paris, Imprimerie Nationale), compiled by M. Paul Lacombe. The list comprises some 1889 titles. M. Delisle in turn, in appreciation of this

tribute, sent to each of its subscribers a beautiful *Fac-similé de Livres Copiés et Enluminés pour le Roi Charles V*, being reproductions, with explanatory text, of specimen pages from manuscripts in the library of Charles V. (Paris, privately printed).

For the convenience of students four sets of maps have been made up out of the Oxford *Historical Atlas of Modern Europe* and published separately: "Europe and her Colonies", "Great Britain", "Germany and Adjacent Countries", and "The Latin Nations." The first contains twenty-seven maps and is listed at 35 shillings; the others have twenty-two maps each, listed at 30 shillings.

The *Revue de Synthèse Historique* has begun a series of reports upon studies relating to the various regions of France. M. H. Berr writes the general introduction: "La Synthèse des Études Relatives aux Régions de la France", in the April number, and M. L. Barrau-Dihigo treats of "La Gascogne" in both the April and June numbers. Also, in the April number M. Henri See takes stock of the literature relating to the history of political ideas, with reference to "France (XVII^e et XVIII^e Siècles)".

Dr. J. B. Chabot, of Paris, has undertaken, with the aid of a group of other Catholic scholars, the publication of a *Corpus Scriptorum Christianorum Orientalium*, which will be a sort of complement to the Migne collection of Greek and Latin Christian writers. For the present at least only inedited texts will be published, and the editor charges himself with the Syriac texts.

It is announced that the letters of Lord Acton to Miss Mary Gladstone — now Mrs. Drew — are to be issued within a few months. They are said to be full of brilliant criticism, literary, historical, and political.

Noteworthy articles in periodicals: K. Lamprecht, *Über den Begriff der Geschichte und über historische und psychologische Gesetze* (*Annalen der Naturphilosophie*, II. 2); Munroe Smith, *Customary Law*, I. (*Political Science Quarterly*, June); H. Delehaye, *Les Légendes Hagiographiques* (*Revue des Questions Historiques*, July).

ANCIENT, AND EARLY CHURCH HISTORY.

The latest addition to the "Story of the Nations" series gives a picture of ancient India drawn rather from Buddhistic than Brahman records: *Buddhist India*, by Professor Rhys-Davids (Putnams).

Frank Jesup Scott is the author of a monograph entitled *Portraits of Julius Cæsar* (New York, Longmans, 1903, pp. xii, 185). It contains, besides a sketch of Cæsar's life, thirty-seven plates and forty-nine other portrait engravings. Each statue or other representation of Cæsar is appropriately considered in the text.

An elementary source-book for Roman history, prepared by G. W. and Lillie Shaw Botsford, was published recently by The Macmillan Company: *The Story of Rome as Greeks and Romans Tell It*.

The Richard Crawley translation of Thucydides's *Peloponnesian War* has lately found a place in the "Temple Classics," in two volumes (The Macmillan Company). In the same collection has also appeared the Elizabethan translation by John Healey of Augustine's *City of God*, in three volumes.

Some translations of important works concerning the early church are in progress. The first volume of an English edition of the work of Professor Paul Wernle, of the University of Basel, *The Beginnings of Christianity*, has been issued by Williams and Norgate (London) under the subtitle "The Rise of the Religion." The second volume will deal with "The Development of the Church." The same house has in preparation English versions of E. von Dobschütz's *Die urchristlichen Gemeinden, Sittengeschichtliche Bilder* and Harnack's *Die Mission und Ausbreitung des Christentums in den ersten drei Jahrhunderten*.

Noteworthy articles in periodicals: E. Revillout, *Un Prince Révolutionnaire dans l'Ancienne Égypte* (*Revue des Questions Historiques*, July); C. Callewaert, *Le Délit de Christianisme dans les deux Premiers Siècles* (*Revue des Questions Historiques*, July).

MEDIEVAL HISTORY.

The first part of *Lateinische Paläographie*, by F. Steffens, has now appeared. It embraces thirty-five plates, illustrating Latin writing down to Charles the Great (Freiburg, Switzerland, B. Veith). It may be added here that M. Prou is to have ready by the end of the year a new *Recueil de Fac-similés d'Écritures du V^e au XVII^e Siècle*, which will comprise fifty new plates containing sixty-three documents (Paris, Picard):

The house of Welter (Paris) announces a complete reproduction of the fifteenth-century manuscript known as the *Breviarium Grimani*. This manuscript, executed from 1478 to 1489, is most elaborately illuminated, as is known; and the reproduction promises to contain 1,568 quarto plates, 300 in colors and the rest in photo-heliogravure. The work will be sold by subscription, the instalments of which, by the end of publication in 1908 or 1910, will have amounted to 3,000 francs.

Two recent additions to "The Decennial Publications of the University of Chicago" are *Studies Concerning Adrian IV.*, by Professor Oliver J. Thatcher, and *The Decline of the Missi Dominici in Frankish Gaul*, by Dr. James Westfall Thompson (the University of Chicago Press, 1903).

The house of Picard et Fils is bringing out a considerable work on Poitou which will be of interest for the history of England as well as of France: *Histoire des Comtes de Poitou (778-1204)*, by A. Richard. The first of its two volumes is published, and applies to the years 778-1126.

Sir Henry Yule's *The Book of Ser Marco Polo, The Venetian* has now been issued in a third edition, fittingly revised by M. Henri Cordier, of Paris, and accompanied by a memoir of Henry Yule compiled by his daughter, Amy Frances Yule (Scribner).

The current number of the *Zeitschrift für Kirchengeschichte* (XXIV. 2) contains a third instalment of W. Goetz's review of the sources of the history of St. Francis: "Die Quellen zur Geschichte des hl. Franz. von Assisi, II. Die Legenden". It may be added here that two translations of *The Mirror of Perfection* have appeared lately; one by Constance, Countess de la Warr, with an introduction by Father Cuthbert (London, Burns and Oates), and one by Mr. John Steele, in Dent's "Temple Classics."

The Mediæval Stage, in two volumes, by E. K. Chambers, has been published by the Clarendon Press (New York, Henry Frowde, 1903, pp. xiii, 419; v, 480). Considerable portions will prove of interest to the student of the social life of the middle ages. The last 235 pages of Volume II. are given up to appendixes containing chiefly reprints of original documents.

Noteworthy articles in periodicals: Lucian Johnston, *Historians of the Mediæval Papacy* (Catholic University Bulletin, July); G. Caro, *Die Landgüter in den frankischen Formelsammlungen* (Historische Vierteljahrsschrift, August); C. Neumann, *Byzantische Kultur und Renaissancekultur* (Historische Zeitschrift, XCI. 2).

MODERN HISTORY.

We were in error at this place in the July number in announcing as published Mr. Pollard's volume on *Thomas Cranmer* for the "Heroes of the Reformation" series. It is not definitely known when it will be ready.

Announcement has been made of a new periodical devoted to the history of the Reformation: *Archiv für Reformations-Geschichte*, to be published, with the support of the Verein für Reformations-Geschichte, by Schwetschke und Sohn, Berlin, at the subscription price of about ten marks a year. It will contain documents, articles, notes and queries, and a current bibliography of publications relating to the Reformation. The editor is W. Friedensburg, director of archives at Stettin.

The second volume of Mr. Oman's *History of the Peninsular War* appeared in the summer. It covers the time from January to September, 1809, closing with the end of the Talavera campaign (Clarendon Press).

M. Gabriel Hanotaux has found time, when only the first volume of his *History of Contemporary France* is out, to put together his studies upon the question of harmony among the Latin peoples: *La Paix Latine*. The book purports to be a sort of synthesis of Mediterranean history and of the writer's impressions from journeys in Spain, Italy, Tunis, and the Adriatic (Paris, Combert et Cie.).

The Annual Register for 1902 (Longmans, 1903) contains the usual amount of valuable statement of political occurrences and of other important events. The whole constitutes an excellent summary of the year, with special reference, of course, to Great Britain. Unfortunately, only 36 pages out of a total of 476 are given to the history of the western

hemisphere. The publishers state that all of the volumes of the series from 1863 to 1901 may be purchased. They form a most valuable record of the last forty years.

Noteworthy articles in periodicals: L. Jordan, *Niccolò Machiavelli und Katharina von Medici* (Historische Vierteljahrschrift, August); M. A. Tucker, *Gian Matteo Giberti, Papal Politician and Catholic Reformer*, Part III. (English Historical Review, July); A Rébelliau, *Un Episode de l'Histoire Religieuse du XVII^e Siècle,—II. La Compagnie du Saint-Sacrement et la Contre-Réformation Catholique* (Revue des Deux Mondes, July 1, August 1); P. Muret, *Les Papiers de l'Abbé Béliardi et les Relations Commerciales de la France et de l'Espagne au Milieu du XVIII^e Siècle, 1757-1770* (Revue d'Histoire Moderne et Contemporaine, July); A. Bourguet, *Le Duc de Choiseul et la Hollande*, concluded (Revue Historique, July); A. Sorel, *De Boulogne à Austerlitz.—I. La Coalition* (Revue des Deux Mondes, August 15).

GREAT BRITAIN.

The Royal Historical Society has commemorated the close association with its body of Bishop Stubbs, Bishop Creighton, Dr. Gardiner, and Lord Acton, by having prepared a minute bibliography of their respective writings. Besides being a complete record of their literary activity, it will doubtless be of special advantage to many students for its indication of the authorship of innumerable reviews. The arduous work of compiling the several lists was done chiefly by Dr. W. A. Shaw.

The latest addition to Appleton's series of Twentieth Century Text-Books is *The British Nation, A History*, by Professor George M. Wrong, of Toronto. The volume is generously and admirably illustrated, having, besides genealogical tables, six full-page maps, seventeen maps and plans in the text, and as many as 291 pictures, a large number of which are intended to teach industrial and social conditions.

Lingard's *History of England*, newly abridged and brought down to the accession of Edward VII. by Dom Henry Nobert Birt, with a preface by Abbot Gasquet, is among the late publications of Messrs. Bell and Sons (London). The work in this form is primarily intended for the use of schools.

The first number of *The Scottish Historical Review*—really a continuation and enlargement of the well-known *Scottish Antiquary*—is announced for October. It will endeavor "to cover the wide field of History, Archæology, and Literature with more particular reference to Scotland and the Borders, and with a special regard to the many common features of British national and social evolution" (quarterly, at 10 shillings; Glasgow, James Maclehose and Sons).

Among recent publications of documents is one of considerable interest which gives the earliest existing "Pipe Roll" of the bishopric of Winchester; or "Rent Roll" of the episcopal manors, thirty-seven in number, in six southern counties, for the fiscal year 1207-1208. It

was transcribed and extended, and supplied with an introduction, glossary, and indexes, by students of the London School of Economics, under the direction of their lecturer on paleography, Mr. Hubert Hall (sold by the director of the school).

Thomas of Eccleston's "De Adventu F. F. Minorum in Angliam" has been done into English under the title *The Friars, and how They Came to England*, with an introductory essay on the spirit and genius of the Franciscans by Father Cuthbert (London, Sands).

The Bampton Lectures for 1903, delivered by the Reverend W. H. Hutton, have been published by W. Gardner, London: *Influence of Christianity upon National Character*, illustrated by lives and legends of English Saints.

The Internal Organization of the Merchant Adventurers of England. By William E. Lingelbach, Ph.D. (Philadelphia, 1903, pp. 56.) This work, originally published as a thesis "in partial fulfillment for the Degree of Doctor of Philosophy" at the University of Pennsylvania, and since reprinted in the *Transactions of the Royal Historical Society*, New Series, Vol. XVI., pp. 19-67, first suggested the volume on the *Sources* relating to Merchant Adventurers, already noticed in the REVIEW. It is not a history of the society, but rather an exposition of the "character and form of the organization of the Merchant Adventurers as it existed during the latter half of the sixteenth and earlier part of the seventeenth centuries." Based almost exclusively on original material, this careful and scholarly study furnishes much new and valuable information on the influence of the society as a factor in English history, on the character and qualifications of its membership, and on its form of government. Dr. Lingelbach brings out more clearly here than in the historical introduction to his collection of *Reprints* the nature and importance of his contribution on the seat of government of the company: that it was located abroad, and not in London.

The Royal Authority and the English Universities. By James F. Willard, Ph.D. (Philadelphia, 1902, pp. 89.) This study, prepared as a thesis for the University of Pennsylvania doctorate, traces in careful detail and with copious references to the sources the influence of the Crown in furthering the growth and independence of the universities of Oxford and Cambridge during the thirteenth and fourteenth centuries. Among the topics treated are: the development of the judicial powers of the chancellors; the gradual encroachment of the universities on borough privileges; and the relation of the two institutions to the central government, with particular reference to exemption from jurisdiction and taxation. There are two appendixes, one dealing with the poll-tax of the second year of Richard II., the other illustrative of troubles between students and town. The bibliography containing a list of the titles referred to in the text is helpful, but there is no index.

E. P. Dutton and Company are publishers in this country of "An English Garner", a reissue in twelve volumes with slight alterations of

Professor Arber's *English Garner* (London, 1877-1890). New introductions have been written and the material has been rearranged and classified. We have already noticed the appearance of *Tudor Tracts, 1532-1588*, with introduction by A. F. Pollard; *Stuart Tracts, 1603-1693*, with introduction by C. H. Firth; and *Voyages and Travels, mainly during the Sixteenth and Seventeenth Centuries*, two volumes, edited by C. Raymond Beazley. In addition to these have recently appeared *Social England Illustrated*, a collection of seventeenth-century tracts, with an introduction by Andrew Lang; *Fifteenth Century Prose and Verse*, with an introduction and glossary by Alfred W. Pollard; *Critical Essays and Literary Fragments*, with an introduction by J. Churton Collins.

An important contribution to English history is made in a recent work by Mr. John Pollock: *The Popish Plot*, a study in the reign of Charles II. (London, Duckworth).

The Clarendon Press has in hand an edition of the *Letters of Horace Walpole*, prepared by Mrs. Paget Toynbee. Of the sixteen volumes which it will comprise, four are promised for November. There are to be many corrections as compared with previous editions, and a hundred or more letters that have not been printed before.

A Life of Charles James Fox, written by J. LeB. Hammond, was issued in the early summer by Messrs. Methuen, London. A political study of Fox and of the situation and problems of his day, it devotes attention chiefly to his part in the transformation of English parties, to his attitude on social and international questions, his struggle with the king, his views on parliamentary reform, religious toleration, and Pitt's régime of coercion, and particularly to his influence on the modern development of nationalism and democracy.

The Orrery Papers, 2 vols., edited by the Countess of Cork and Orrery, relate chiefly to John Boyle, fifth Earl of Orrery, and incidentally contain much information on the social conditions of England and Ireland in the early eighteenth century (London, Duckworth and Co.).

David Hume and his Influence on Philosophy and Theology, by Professor James Orr, of Glasgow, contains an interesting account of Hume's life and has something to say of his work as an historian and of the characteristics of his history (imported by Scribner, 1903).

It is announced that Lord Wolseley has now completed his long-expected memoirs and that they are to be published this fall, through Messrs. Constable, under the title *The Story of a Soldier's Life*.

Messrs. H. Sotheran, London, announce a five-volume work on *The County of Suffolk*: its history as disclosed by existing records and other documents, being materials for the history of Suffolk. The compiler, Dr. Coppinger, of Hain's *Supplement* reputation, has aimed "to give the substance of everything relating to the county of an historical or official character."

Doubtless many historical students will be interested in two recent works relating to the book-trade bibliography in England: one an essay on the beginnings of such bibliography since the introduction of printing, and in England since 1595; *Three Centuries of English Book-trade Bibliography*, by A. Growoll; the other, *A List of the Catalogues, etc., Published for the English Book-trade from 1595-1902*, by Wilberforce Eames (New York, M. L. Greenhalgh).

The account of the coronation of Edward VII., which Mr. J. E. C. Bodley was commissioned by the King to write, proves to be a book of wide interest. Besides giving a description and a detailed historical study of the coronation, it deals with the subject in connection with European and British imperial history: *The Coronation of Edward the Seventh: A Chapter of European and Imperial History* (London, Methuen). Mr. Bodley has now returned to the work with which he has been chiefly occupied for the past five years, a book on the church and religious questions in France.

Noteworthy articles in periodicals: C. T. Winchester, *John Wesley* (Century, July and August); Lord North, *Lord North, the Prime Minister: a Personal Memoir*, II (North American Review, August).

FRANCE.

It seems probable that the twenty-fourth volume of the *Recueil des Historiens des Gaules et de la France*, which is announced to appear shortly, will be the last of the folio series of this collection. Meanwhile the Academy proceeds with the new quarto series, in which it has the coöperation of distinguished scholars that are not Academicians, like MM. Langlois and Molinier. This now includes four volumes

The past summer witnessed the publication of an inventory which should render much service to students of French history: *État Général par Fonds des Archives Départementales*, for the ancient régime and the Revolutionary period. Among other things it contains a long table which purports to indicate what particular documents may be found in this or that departmental depot on all different subjects, such as an institution, a family, or a town. It applies even to series for which there is no special published inventory, and also to those which are only classified (Paris, Picard).

The 147th fascicle of the *Bibliothèque de l'Ecole des Hautes Etudes* is devoted to a group of studies by M. Ferdinand Lot on France in the late tenth century: "Études sur le Règne de Hugues Capet et la Fin du X^e Siècle." It is understood that an early number of this collection will contain an elaborate study of the Northman invasions in France, by Mr. A. W. Kirkaldy, now of the University of Birmingham.

The new edition of the *Mémoires de Philippe de Commines* prepared by M. B. Mandrot for the Picard "Collection des Textes" is now complete, with the publication of the second volume (1477-1498).

Some important papers relating to the Orleans family, notably to Philippe Égalité, have recently come into the possession of the Institute, bequeathed by the Count Beugnot, who had inherited them from his father, the historian, and his grandfather, minister under the Restoration. They were seized from the Duke of Orleans in part at the time of his arrest in 1793 and in part before his execution.

The first volume of a second and entirely revised edition of M. E. Levasseur's *Histoire des Classes Ouvrières et de l'Industrie en France de 1789 à 1870* appeared in the early summer. This is in continuation of the same writer's well-known work on the period preceding the Revolution (Paris, Rousseau).

French revolutionary literature has received an interesting addition in *Paris in '48: Letters from a Resident Describing the Events of the Revolution*, by Baroness Bonde, edited by C. E. Warr. The writer of these letters lived some thirty years in Paris and was intimately acquainted with the diplomatic circle (London, Murray).

The correspondence of Thiers relating to the liberation of French territory after the war with Prussia was published the past summer in Paris: *La Libération du Territoire*, two volumes (Calmann-Lévy).

The varied activity of M. Léopold Delisle appears now in a *Catalogue des Livres Imprimés ou Publiés à Caen avant le Milieu du Seizième Siècle*, followed by investigations upon the printers and publishers of the same town. This is to be continued by a second volume devoted to texts which will reflect the masters and students of the university in the time of Charles VIII., Louis XII., and Francis I., and set forth the deliberations of the university concerning the book business of the time and the state of persons engaged in it. In this connection welcome may be said to a classified bibliography of writings relating to printing and publishing in France: *Essai de Bibliographie de l'Histoire de l'Imprimerie Typographique et de la Librairie en France*, by Paul Delalain (Paris, Picard).

Noteworthy articles in periodicals: H. Gravier, *Essai sur les Prévôts Royaux du XI^e au XIV^e Siècle* (Nouvelle Revue Historique du Droit, beginning in the July number); V.-L. Bourrilly, *Le Règne de François I^{er}, État des Travaux et Questions à Traiter*, concluded (Revue d'Histoire Moderne et Contemporaine, June); *New Lights on the French Revolution* (Quarterly Review, July); *France under Thiers* (Edinburgh Review, July); J. Haller, *Der Ursprung der gallikanischen Freiheiten* (Historische Zeitschrift, XCI. 2); E. C. Lodge, *Serfdom in the Bordelais* (English Historical Review, July); W. M. Sloane, *Radical Democracy in France*, II. (Political Science Quarterly, June).

GERMANY.

An admirable account of the Hanse towns forms the nineteenth volume of the "Monographien zur Weltgeschichte": *Die Deutsche Hanse*, by Professor Dietrich Schäfer. Like the other numbers of the series the book is handsomely and elaborately illustrated (Leipzig, Velhagen und Klasing; New York, Lemcke and Buechner).

Among the recent publications on German history are several continuations of well-known works. The revised edition of Janssen, as edited by Pastor, has reached the eighth volume (Freiburg i. Br., Herder); E. Michael's third volume bears the subtitle "Deutsche Wissenschaft und deutsche Mystik während des dreizehnten Jahrhunderts" (*idem*); and the second of Lamprecht's volumes on contemporary Germany treats of "Wirtschaftsleben, soziale Entwicklung" (*ibid.*, Heyfelder).

Professor Ottokar Lorenz, of the University of Jena, has finished his *Kaiser Wilhelm und die Begründung des Reichs, 1866-1871* (Jena, G. Fischer).

Noteworthy articles in periodicals: W. Stolze, *Die 12 Artikel und ihr Verfasser* (Historische Zeitschrift, XCI. 1); G. Goyau, *L'Allemagne Catholique entre 1800 et 1848. — I. La Réorganisation de l'Église* (Revue des Deux Mondes, July 15); F. Rachfal, *Österreich und Preussen im März 1848*, I. (Historische Vierteljahrschrift, August).

EASTERN EUROPE.

Several valuable volumes were issued the past year by the Russian Historical Society. Two of them (109, 110) contain the despatches of the Austrian and English ambassadors in Russia in the eighteenth century. Another (113) gives the diplomatic correspondence of the Russian and French governments in the years 1814-1816.

The publication of a learned *History of Moscow* by I. Zabielin, was begun in Russia the past year. The first volume is devoted to the Kremlin, and gives the results of some twelve years' investigations.

A recent book by H. Marczali, professor in the University of Budapest, lists by epochs the sources of Magyar history in so far as these consist of chronicles, memoirs and descriptions, and gives extracts from them which reflect the social and political conditions in successive periods: *Enchiridion Fontium Historiæ Hungarorum* (Budapest, Athenæum). The work is intended as a manual for native students, but since most of the sources down to the nineteenth century are in Latin, it may be of interest also to many persons who do not read Hungarian.

AMERICA.

In the autumn list of Messrs. Houghton, Mifflin, and Co. are to be noted a new text-book on American history by J. N. Larned; a *Reader's History of American Literature*, by Thomas Wentworth Higginson; *American Tariff Controversies in the Nineteenth Century*, by Edward Stanwood, and a holiday edition of the late John Fiske's *Dutch and Quaker Colonies*, in two volumes. *The Memoirs of Rufus Putnam*, an autobiographical account of General Putnam and his ancestors, edited by Rowend W. Buell; *American History and its Geographic Conditions*, by Ellen C. Semple; *Louisiana*, by Albert Phelps (American Commonwealths) are among the new books in preparation.

The Macmillan Company announce for autumn publication *Select Charters and other Documents Illustrative of the History of the United*

States, 1861-1898, edited by Professor William MacDonald of Brown University; and a *Life of Robert Morris* by Dr. Oberholzer.

We select from the autumn announcements of D. Appleton and Co. *Life and Times of Thomas Jefferson*, by Thomas E. Watson; *Anthony Wayne*, by John R. Spears, and *Champlain, The Founder of New France*, by Edwin Asa Dix, in the series of "Historic Lives"; and *Steps in the Expansion of Our Territory*, by Oscar P. Austin, in the "Expansion Series". *Cortez*, by F. A. Ober, *Sir William Pepperell*, by Noah Brooks, and *George Rogers Clark*, by Reuben G. Thwaites are in preparation for the former series; and *Rocky Mountain Exploration*, by Reuben G. Thwaites, *The Conquest of the Southwest*, by Cyrus Townsend Brady, and *The History, Purchase, and Resources of Alaska*, by Oscar P. Austin, for the latter.

Following its printed author catalogue, so well begun, the Bibliothèque Nationale is issuing a classed catalogue of its collection of Americana — *Catalogue de l'Histoire de l'Amérique*, par George A. Barringer, bibliothécaire au département des Imprimés. The first volume is a small quarto of 854 pages, double columns, written in a handsome vertical cursive, printed by mimeograph, and issued in sheets. It comprises the narratives of exploration and discovery, general works on America, Canada, and the United States, religious and constitutional history, and our national and state documents. The titles are given with fullness and care; and the great library, so rich in material relating to this country, cannot be too highly commended for its enterprise in thus opening up its treasures to the knowledge of our students. The number of copies will naturally be limited, and the distribution in the United States is made through the Department of State.

Ernest Leroux, Paris, announces, as in preparation by Henry Vignaud, *Les Précurseurs de Barthélemy Diaz et de Christophe Colomb*. It will be a volume of critical notes upon all the Atlantic voyages preceding and preparatory to the discovery of the route to the Indies and to the New World. The same publisher also advertises *Villegagnon Roi d'Amérique, un Homme de Mer au XVI^e Siècle (1510-1572)*, by Arthur Heulard.

Volumes of interest to the genealogist are *The History of the Treman, Tremaine, Truman Family in America; with the related families of Mack, Dey, Board and Ayers* (Press of the Ithaca Democrat, Ithaca, N. Y.), two large and weighty volumes, illustrated, and filled with a well-arranged mass of genealogical detail.

The *Deutsch-Amerikanische Geschichtsblätter* for July contains the concluding parts of Professor Benjamin Terry's "Die Heimstättengesetz-Bewegung"; "Deutsches Blut in den Vereinigten Staaten und in Illinois im neunzehnten Jahrhundert", a statistical study of German immigration and descendants, by Emil Mannhardt, and the first of a series of articles on "German Political Refugees in the United States during the Period from 1815-1860," by Ernest Bruncken.

Among the fall publications of G. P. Putnam's Sons are *Old Paths and Legends of New England*, by Katharine M. Abbott, and *Literary New York: Its Landmarks and Associations*, by Charles Hemstreet.

The last volume in the Colonial Series of the *Calendar of State Papers* is concerned with America and the West Indies from January, 1693, to May 14, 1696. The latter date is significant because it marks the end of the régime of the old Committee of the Privy Council for the Administration of Trade and of the Plantations.

The following are among the recent announcements of Messrs. Burrows Brothers, Cleveland: Esquemeling's *Bucaniers of America*, in four volumes, edited by Felix Neumann, of the Library of Congress; a translation of a life of Christopher Columbus by his son Fernando, edited by Professor E. G. Bourne; *New York; a reprint of An Historical and Geographical account of the Province and County of Pensilvania, and of West New Jersey in America*, by Gabriel Thomas, London, 1698, edited by Cyrus Townsend Brady. The same firm has recently issued in very attractive form *New York Considered and Improved, 1695*, by John Miller. The volume, which is published from the original manuscript in the British Museum, is provided with a long and careful introduction by Victor Hugo Paltsits.

An exact reprint of the second issue (1698) of Father Hennepin's *New Discovery* is promised for October by A. C. McClurg and Co., Chicago. The work is to be in two volumes, with facsimiles of the original title-pages, maps, and other illustrations. Mr. Reuben G. Thwaites furnishes the introduction, notes, and an analytical index, while Mr. Victor H. Paltsits, of the Lenox Library, contributes a bibliography of Hennepin.

It is reported that the two new volumes of Sir George Otto Trevelyan's work, *The American Revolution*, are in the press and will be issued by Messrs. Longmans, Green, and Company this fall. The same firm has just published *Actual Government, as applied under American Conditions*, by Professor Albert Bushnell Hart, a new volume in the "American Citizen" series.

A *Calendar of John Paul Jones Manuscripts in the Library of Congress*, to which reference was made in the last number of the REVIEW, is now published (Washington, Government Printing Office, 1903). It has been prepared by Dr. Charles Henry Lincoln. It makes a volume of 316 pages, including 883 entries, with a thorough index, and has for its frontispiece a fine portrait of Jones from the original bust by Houdon.

Part IV. of the Trumbull Papers (*Massachusetts Historical Collections*, Seventh Series, Vol. III., Boston, 1902) completes the publication of these interesting and valuable sources for the study of Revolutionary history. This last volume is not less important than the preceding. The letters range from January of 1780 to October, 1783, covering the last military events of the war, the treaty, and the approach of peace, and the financial frailties of the mendicant Confederation. There are letters

from Silas Deane, Oliver Ellsworth, Robert Morris, Robert R. Livingston, Jonathan Trumbull, Jr., and Washington, as well as from many other correspondents, discussing the important military and political conditions of the time. The papers were collected by Governor Trumbull himself with the intention that they should be preserved "as materials for future historians"; and there is some reason for thinking, we are told, that he thought seriously of writing a history of America himself. Whether he had such intention or not, the careful collection and preservation of his papers entitles the Revolutionary governor to the gratitude of American historical scholars.

An account of the identification of the site of Fort Washington in New York city, and of the erection and dedication of a monument on the spot, in November of 1901, by the Empire State Society of the Sons of the American Revolution, has been published by the society. It contains, besides the addresses customary on such occasions, a history of the defense and reduction of the fort written by Reginald Pelham Bolton, accompanied by several maps and plans of the fort and the neighborhood. It is published by E. S. Gorham, of New York.

The Congressional Library has recently added to its collection in the division of manuscripts some of the papers of William Paterson, delegate from New Jersey in the Federal Convention.

Mr. A. P. C.-Griffin, of the division of bibliography of the Library of Congress, has compiled and edited a *Select List of Books on the Constitution of the United States* and also a *Select List of Books on the Cabinets of England and America* (Washington, Government Printing Office, 1903).

The American Advance, a Study in Territorial Expansion, by Edmund J. Carpenter, has been published by John Lane (London and New York, 1903, pp. ix, 331). Mr. Carpenter adheres to the Whitman story, saying that he is "not unaware that an iconoclastic attempt has recently been made to relegate the entire story of Whitman's ride and mission to the realm of fable."

Mr. Robert Brent Mosher, of the Department of State, has recently published an *Executive Register of the United States*, furnishing much valuable information, arranged by administrations, concerning the personnel of the various administrations and the origin of the several departments.

Mr. Gustavus M. Pinckney, of the Charleston Bar, has recently published with the Walker, Evans, and Cogswell Co., Charleston, S. C., a *Life of John C. Calhoun*.

John White Chadwick's *William Ellery Channing* (Houghton, Mifflin, and Co., 1903, pp. xvii, 463) tells in an entertaining way the life story of the great preacher and reformer. It contains among other things a good account of Channing's awakening to the evils of slavery and of the part he took in the antislavery movement.

Martha T. Hunter is the author of a memoir of her father, Robert M. T. Hunter (Washington, The Neale Publishing Co., 1903, pp. 166). The book is pleasantly written and is largely made up of letters, most of which, however, are of personal rather than of general interest.

The First New York (Lincoln) Cavalry from April 19, 1861, to July 7, 1865, has been written by Mr. William H. Beach, adjutant of the regiment, and published by the Lincoln Cavalry Association (New York, 1902, pp. vii, 559). It is an interesting narrative of the experiences of the regiment, which saw a great deal of service in Virginia during the four years of the war. Most of the matter will be of chief interest to the survivors of the regiment, for whom perhaps the book is chiefly intended, but there are entertaining details of the daily life of the common soldier. Noteworthy is Sergeant Charles R. Peterson's diary of nine months' imprisonment in Andersonville.

The sixteenth volume of the Second Series of the *Proceedings of the Massachusetts Historical Society* (Boston, 1903), contains the papers that were read at the regular meetings in the year 1902. It includes, among other valuable contributions, "Rev. John Higginson, of Salem," by Simeon E. Baldwin; "Cotton's 'Moses his Judicals,'" by Worthington C. Ford; and the paper on "The Historical Conception of the United States Constitution and Union," by Daniel H. Chamberlain, to which reference has previously been made in the REVIEW. Nearly 175 pages are taken up with the "Diary of John Quincy Adams, while a law student in Newburyport," an interesting paper containing the "record of the life of a young man of twenty, brought up in the Europe of Louis XVI., Catherine II., and George III., suddenly transferred to America, and planted in . . . a substantial seaport of some five thousand inhabitants, largely engaged in commerce." The diary is copiously annotated. No use was made of this material in the *Memoirs of John Quincy Adams*.

The Research Publishing Company of Boston are undertaking the publication of an illustrated subscription work in three volumes on *New England Colonial Aristocracy*. It is being issued in eighteen bimonthly parts: Volume I. deals mainly with economic, political, and social conditions of early New England; Volume II. with the origin and subsequent history of prominent New England families; Volume III. with their descendants and connections. Mr. Eben Putnam is the editor.

The first publication of the Club for Colonial Reprints of Providence, Rhode Island, is *The Fourth Paper presented by Major Butler, with other papers edited and published by Roger Williams in London, 1652* (Providence, 1903, pp. xxiii, 49). An introduction and notes are supplied by Clarence Saunders Brigham. They show the place of the pamphlet in the constitutional history of the time, 1652, the close relationship between the Puritans of Old and of New England, and the effort that was making to securing "religious liberty without weakening the power of the civil authority." *The Fourth Paper* itself is printed in facsimile. Of the original pamphlet only two copies are known to be extant, one

in the John Carter Brown library, the other in the British Museum. This is said to complete the reprints of the known tracts of Roger Williams. The edition is limited. The club offers for sale the numbers not taken by the members of the club. (Address George P. Winship, Providence.)

The Finances and Administration of Providence, 1636-1901, by Howard Kemble Stokes (Extra Volume XXV. in the "Johns Hopkins University Studies," 1903, pp. vii, 464), is not simply an exposition of present conditions or of recent tendencies. A large portion is given up to a consideration of early methods under the old town system, and the whole constitutes a detailed history of the financial administration of Providence from its foundation to the present. Certain portions were written originally as a doctor's thesis at Brown University.

The Grafton Press of New York announces the *History of Wethersfield, Connecticut*, by Dr. Henry L. Stiles.

President Dwight's *Memories of Yale Life and Men, 1845-1899* (New York, Dodd, Mead, and Co., 1903, pp. 500), is full of interest to the student of educational and general social history. It has much to do with the personnel of the university during an important half-century of its growth, and for this reason will be of special interest to Yale graduates. But, written in a charmingly simple and direct style, it will appeal also to the general reader and to the student of American progress.

The Connecticut Historical Society are publishing the "Roll of Connecticut Men in the French and Indian War", 1755-1762. Volume IX. of their collections (Hartford, 1903) contains the first volume of these rolls, extending from 1755 to 1757.

Dr. Franklin B. Dexter has reached the third volume of his *Yale Biographies and Annals* (Henry Holt and Co.) covering the period 1763-1773. Like its predecessors, this volume contains much accurate and valuable as well as minute and curious information.

Transcripts with index of "Some Early Records of the Lutheran Church, New York", is the most important historical feature of the *Year Book* of the Holland Society of New York for 1903.

Mr. William Nelson edits Volume XXII. of the *New Jersey Archives, Documents relating to the Colonial History of New Jersey*, which is devoted to marriage records, 1665-1800. The editor in a valuable introduction discusses the early marriage-laws of New Jersey with some attention to those of adjacent colonies.

Aside from continuations, the most noteworthy contributions to the July number of *The Pennsylvania Magazine of History and Biography* are "How the News of the Battle of Lexington reached Philadelphia", in which a facsimile of the despatch sent from Watertown on the morning of April 19, 1775, is reproduced; "Some Love Letters of William Penn", all falling within the year 1695, selected from the Penn-Forbes collection of manuscripts presented to the historical society by William Brooks Rawle; "The American Philosophical Society, 1743-1903", a reprint of Mr. J. G. Rosengarten's address at the annual dinner of the society,

April 3, 1903. A list is given of the most valuable manuscripts and documents relating to colonial Pennsylvania acquired by the Historical Society last May. From the same periodical we learn that the last assembly passed an act creating a division of public records, in connection with the State Library, devoted to the preservation of all public records throughout the commonwealth, and especially those of the state government not in current use, from the earliest times to the year 1750.

Dr. Julius Friedrich Sachse has expanded his chapter on Justus Falckner in *German Pietists* into a memorial volume entitled *Justus Falckner, Mystic and Scholar* (Philadelphia, printed for the author, 1903, pp. iii, 141). The occasion for the publication is the bicentennial "of the first regular ordination of an orthodox pastor in America." Much new material is presented, the most noteworthy being the diploma of ordination of Falckner of November 24, 1703. The book is profusely illustrated with reproductions of old prints, with modern pictures of the scenes of Falckner's labors, and with facsimile reprints of old title-pages and of documents.

The following are some recently published works relating to Pennsylvania local history: *Captain Gustavus Conyngham, a Sketch of the Services he rendered to the Cause of American Independence*, by Charles Henry James, published by the Sons of the American Revolution, 1903; *The Order-Book of Fort Sullivan and Extracts from Journals in General Sullivan's Army relating to Fort Sullivan*, by Mrs. Louise Welles Murray, The Tioga Point Historical Society, Athens, Pa., 1903; *History of Franklin and Marshall College*, by Joseph Henry Dubbs, Lancaster, 1903.

Mr. Oscar Jewell Harvey, Wilkesbarre, Pa., is expected to publish in January of the coming year his *History of Wilkesbarre, Luzerne County, Pa.*, a work on which he has been engaged for several years. The author is said to have treated the Revolutionary and colonial periods of the Wyoming Valley with exceptional fullness.

The May number of the *Publications of the Southern History Association* opens with an account of the proposed publication of the rosters of those who served in the Confederate army during the Civil War. This forms part of a general scheme to publish a complete roster of officers and enlisted men of the Union and Confederate armies and will be published as a continuation of the *Official Records of the Union and Confederate Armies*. The work is authorized by an act of Congress of February 25, 1903, and will be under the general supervision of the Secretary of War; but in the more immediate charge of Brigadier-General F. C. Ainsworth, Chief of the Record and Pension Office. The present article reports what has already been done by the various states of the Confederacy towards preserving a record of their troops. In the same number F. W. Moore, Ph.D., of Vanderbilt University, begins a series of papers entitled "Calhoun as seen by his Political Friends," consisting mainly of letters of Duff Green, Dixon H. Lewis, and Richard

K. Crallé during the period from 1831 to 1848. There are appended sketches of the history and nature of the materials, and of the characters and careers of the writers. Also we note the beginning of a series of selections from the correspondence of Judge James Duane (1732-1797), bearing mainly in Revolutionary, Southern, and early educational history. The first instalment extends from 1761 to 1789. The July number of the *Publications* is devoted mainly to a continuation of documents the printing of which was begun in an earlier number: "Texas Revolutionary Sentiment," "The Duane Letters," "General Joseph Martin," "Calhoun as seen by his Political Friends." The first document is a letter to Thomas H. Miller, concerning the capture of St. Mary's, Georgia, by Admiral Cockburn.

According to the *Virginia Magazine of History*, July, 1903, in *Gleanings of Virginia, An Historical and Genealogical Collection, largely from original Sources*, compiled and published by William Fletcher Boogher, Washington, D. C., 1903, the author has gathered some new and interesting matter and reprinted some things that will be serviceable to those who do not have access to Hening's *Statutes at Large* of Virginia.

In addition to continuations, the *Virginia Magazine of History and Biography* for April contains much interesting matter. The "Proceedings of the Virginia Committee of Correspondence, 1759-1767" is taken from the original papers in the Virginia state archives. This committee consisted of members of the council and the house of burgesses appointed to correspond with the colony's agent in England, Edward Montague, Esq., of the Middle Temple. W. F. Dodd contributes a study prepared in the constitutional history seminary at the University of Chicago on "The Effect of the Adoption of the Constitution on the Finances of Virginia," which is largely occupied with a history of Virginia finances from 1776-1790. While the *Calendar of Virginia State Papers* was being published the editors discovered various papers after the volumes covering the appropriate dates had been issued. It was originally intended to publish these in a separate volume, but that intention was never carried out. Although the papers are not of any great importance, the *Virginia Magazine of History* has undertaken to print them to complete the set. The remainder of the executive documents are in the present number, and the legislative documents will be continued later. In the series on Virginia newspapers in public libraries an annotated list is given of those in the Virginia State Library. In the July number Mr. Lothrop Withington contributes a group of documents with explanatory notes relating to the "Surrender of Virginia to the Parliamentary Commissioners, March, 1651-1652." The most important feature is the report of the commissioners, from the British Museum Library, which gives the first contemporary account of the surrender known to historians. Among the papers published under "Virginia in 1638-1639" are Governor Wyatt's commissions and instructions. Captain H. T. Owen, of Virginia, furnishes

a list of Virginians who have become governors of other states from 1779 to 1865.

History is well represented in the *South Atlantic Quarterly* for July. Professor Edwin Mims, of Trinity College, writing on "The Reform Movement in New England," treats briefly but ably certain intellectual leaders of the first half of the last century and their attitude toward the problems of their time, particularly antislavery. Dr. U. B. Phillips, in "The Economics of the Plantation", considers agriculture in the south, especially since the Civil War. The second of Mr. Walter M. Fleming's articles on the peace movement in Alabama is entitled "The Peace Society, 1863-1865." Henry Rudolf Dwire writes on "The New York Times and the Attempt to Avert the Civil War." The importance of the attitude of this paper was due to the fact that its editor, Henry J. Raymond, was close to Seward, and hence would reflect his policy. The author concludes that the failure of attempts like that of the *Times* prove that the contest was inevitable.

The Autobiography of Joseph Le Conte (Appleton, 1903, pp. xvii, 337) is not without its value to the student of history, and must be of interest to anyone who enjoys reading a simple tale of a noble life. The book is edited by William Dallam Armes, who has made changes in the original manuscript, mainly in the way of omitting personal passages, and of inserting certain portions from Professor Le Conte's journal or other writings. Born on a plantation in South Carolina in 1823, Le Conte spent most of his life in that state till he went to the University of California in 1869.

In the July number of the *South Carolina Historical and Genealogical Magazine* begins a series of letters from Rev. Samuel Thomas, appointed first missionary to the Province of Carolina, July 3, 1702, by the Society for the Propagation of the Gospel. The letters are to officers of the society and were copied from the society's manuscript volumes. Those so far published, covering the years 1702-1710, seem to be chiefly of a personal nature, though here and there occur items of a more general historical interest.

With the appearance of the May issue of the *Gulf States Historical Magazine* Mr. Thomas M. Owen resigned from the editorship to devote himself more exclusively to his duties as director of the Alabama Department of Archives and History. Mr. Owen is succeeded as editor and proprietor by his former associate, Mr. Joel C. Du Bose.

In the *Gulf States Historical Magazine* for May, 1903, Mr. Dunbar Rowland, director of the Mississippi Department of History and Archives, reprints a letter, dated January 2, 1804, from Wm. C. C. Claiborne, Governor General of the Province of Louisiana, to James Madison, Secretary of State. Mr. Rowland states that Governor Claiborne's private executive journal in possession of the Archives from which the letter is taken, contains much valuable material relating to the Louisiana purchase. Wm. Beer, of the Howard Memorial Library, New Orleans, has

a series of bibliographical notes on material relating to the history of the Gulf states previous to the beginning of the nineteenth century. The editor furnishes a list of newspaper files in the Carnegie Library, Atlanta, Ga., and Miss Mary Robinson contributes a list of Alabama newspaper files in the library of the American Antiquarian Society, Worcester, Mass. Among the articles in the July number are: "Recollections of the Growth and Development in the North of the Anti-Slavery Sentiment that led to Secession", by Judge Wm. D. Wood; "John Bell, Constitutional Union Candidate for President in 1860", by Miss Sallie Fleming Ordway. Under the title "An Alabama Protest against Abolition", Mr. Owen publishes a series of contemporary documents illustrative of the contest between the South and the abolitionists in the thirties; Miss Mary Robinson furnishes a list of the Mississippi newspaper files in the American Antiquarian Society Library.

Mr. Thomas M. Owen, director of the department, has compiled for the Department of History and Archives of Alabama, an *Alabama Official and Statistical Register* (Montgomery, Ala., Brown Printing Co., 1903, pp. 326). It contains much material of historical and genealogical interest, *e. g.*, short biographical sketches of state officers, lists of population and elections, and, what would seem of most value, lists of the organization and personnel of each of the constitutional conventions of the state, 1819-1901, with a complete bibliography of the literature of each.

It is announced that Messrs. Manzi, Joyant, and Co., New York, have in preparation an illustrated four-volume *History of Louisiana*, by Alcée Fortier, professor of romance languages in Tulane University and president of the Louisiana Historical Society. The edition is to be a limited one sold only on subscription.

The first instalment of "Early Addresses and Messages of the Governors of Tennessee" in the *American Historical Magazine and Tennessee Historical Society Quarterly* for July presents those of Governor John Sevier, 1796-1801. In the series on "Military Government in Alabama under the Reconstruction Acts" Mr. Walter L. Fleming deals with the administration of General Pope. Judge Nathaniel Baxter's "Reminiscences" furnish a good introduction to the "Executive Correspondence of Governor James K. Polk", from originals in the archives of the Secretary of State's office, both of which appear in this issue.

The June number of the *Records of the American Catholic Historical Society of Philadelphia* contains among other articles "Letters Concerning Missions of the Mississippi Valley, A. D. 1818-1827." These letters are translated from *Annales de l'Association de la Propagation de la Foi* (Lyons, 1826-1827).

Concerning the Forefathers is the title of a handsome book written by Charlotte Reeve Conover (Dayton, Ohio, 1903). It is a memoir of Colonel Robert Patterson and Colonel John Johnston, with some notice

of other members of the Patterson and Johnston families. Robert Patterson was one of the early pioneers of Kentucky, an Indian fighter of distinction, one of the founders of Losantiville, *i. e.*, Cincinnati, and one of the early settlers of Dayton. While the volume is intended to be only a memorial, with its many illustrations and its reprints of documents it is not an unimportant contribution to the history of the West.

Mr. F. H. Turner has in the *Quarterly of the Texas Historical Association* for July, 1903, an exhaustive paper on the expedition of Colonel Jose Antonio Mejía to Texas in July, 1832.

The July number of the *Iowa Journal for History and Politics* opens with an article on "The Wisconsin Gerrymander of 1891, 1892, A Chapter in State Constitutional History," by Mr. Francis Newton Thorpe. Of more local interest is an article on congressional districting in Iowa, by Paul S. Peirce. An accompanying series of maps show the "exact form and extent of the districts established by the several acts of the General Assembly." Miss Margaret Buckingham furnishes a "Bibliography of Iowa State Publications for 1900 and 1901".

The Iowa State Historical Society have already issued three volumes of their projected series of *Messages and Proclamations of the Governors of Iowa*, edited by Professor B. F. Shambaugh. The second volume contains the messages of Governors James W. Grimes, Ralph P. Lowe, and Samuel J. Kirkwood; the third includes the proclamation and messages of Governors William Milo Stone and Samuel Merrill. This brings the series down to 1872.

Mr. R. R. Bowker has in preparation a provisional list of the publications of the state of Iowa.

The Lewis and Clark field-notes, in possession of the American Philosophical Society, of Philadelphia, are being prepared for publication by Mr. Reuben Gold Thwaites. This edition is to be published as a part of the centennial celebration of the Lewis and Clark expedition.

"The Lewis and Clark Centennial, the Occasion and its Observance," by Professor F. G. Young, forms the subject of the opening article of the *Quarterly of the Oregon Historical Society* for March. It comprises a brief sketch of Oregon history, a discussion of the importance of the acquisition and opening up of the territory, and a description of the places for the proposed observance. In the same issue are printed a number of contemporary letters describing conditions in Oregon in the forties. In the June number may be noted "Oregon and its Share in the Civil War," by Robert Treat Platt; "The Great West and the Two Easts," a survey of the resources and progress of the territory west of the Mississippi during the last fifty years, by Henry E. Reed; "Social and Economic History of Astoria", by Alfred H. Cleveland. The documents include: "Two Whitman Sources", papers "relating to the Oregon Emigration Movement, 1842-1843"; "Experiences of the Emigration of 1843"; and "Letters descriptive of Oregon and its Earlier Conditions."

The report of the military governor of Porto Rico on civil affairs (Part 13 of the *Annual Reports of the War Department* for the year ending June 30, 1900, pp. 470-471) contains a brief account of the historical collections relating to the island and tells where they are to be found. The account is reprinted in the *Gulf States Historical Magazine*, March, 1903, pp. 371-372.

The Arthur H. Clark Company, Cleveland, whose history of the Philippine Islands was originally intended to extend only to 1803, have decided to include the nineteenth century, while keeping the number of volumes within the limits already announced — fifty-five. The new title will be *The Philippine Islands, 1493-1898*.

Noteworthy articles in periodicals: H. Morse Stephens, *John Fiske as a popular Historian* (World's Work, April); Emil Reich, *A New View of the Revolutionary War* (North American Review, July); Elsie Bessie Atwater, *In the Courts of Kings, Connecticut Agents Who Appeared before the Throne in Appeals for Justice* (Connecticut Magazine, April-May); Charles E. Magoon, *The War Department—Administration of Civil Government* (Scribner's Magazine, July); Matthew E. Hanna, *The First Year of Cuban Self-Government* (Atlantic Monthly, July); A. Viallate, *Les préliminaires de la guerre hispano-américaine et l'annexion des Philippines par les États-Unis* (Revue Historique, July-August); Bernard C. Sterner, *Two Eighteenth Century Missionary Plans* (Seawanee Review, July); Andrew D. White, *Chapters from my Diplomatic Life* (The Century, August-September).

The
American Historical Review

ETHICAL VALUES IN HISTORY¹

CIRCUMSTANCES deprive me of the honor of presiding over this meeting of the American Historical Association to which your kindly appreciation has called me, but at least I can fulfil the pleasant duty of addressing to you a few words on a topic which is of interest to all of us, whether students or writers of history. In this I do not pretend to instruct those whose opinions are, to say the least, fully as mature and worthy of consideration as my own, but merely to contribute to a discussion which will probably continue as long as men shall strive to bring the annals of the past to the knowledge of the present.

One whose loss we all deplore and whose memory we honor as perhaps the most learned and thoughtful scholar in the English-speaking world — the late Lord Acton — in his well-known Cambridge Lecture, has formally placed on record his opinion on ethical values in history when saying, "I exhort you never to debase the moral currency or to lower the standard of rectitude, but to try others by the final maxim that governs your own lives and to suffer no man and no cause to escape the undying penalty which history has the power to inflict on wrong. The plea in extenuation of guilt and mitigation of punishment is perpetual. At every step we are met, by arguments which go to confuse, to palliate, to confound right and wrong, and to reduce the just man to the level of the reprobate. The men who plot to baffle and resist us are, first of all, those who made history what it has become. They set up the principle that only a foolish Conservative judges the present time with the ideas of the Past; that only a foolish Liberal judges the Past with the ideas of the Present."

¹ The President's address to the American Historical Association, December 29, 1903.

The argument with which Lord Acton justified this exhortation to his students presupposes a fixed and unalterable standard of morality, together with the comfortable assurance that we have attained to that absolute knowledge of right and wrong which enables us to pass final judgment on the men of the past, secure that we make no mistake when we measure them by our own moral yardstick. Every foregone age has similarly flattered itself, and presumably every succeeding one will continue to cherish the same illusion.

I must confess that to me all this seems to be based on false premisses and to lead to unfortunate conclusions as to the objects and purposes of history, however much it may serve to give point and piquancy to a narrative, to stimulate the interest of the casual reader by heightening lights and deepening shadows, and to subserve the purpose of propagating the opinions of the writer.

As regards the inferred premiss that there is an absolute and invariable moral code by which the men of all ages and of all degrees of civilization are to be tried and convicted or acquitted, a very slender acquaintance with the history of ethics would appear sufficient to establish its fallacy. It would be overbold to suggest that morals are purely conventional and arbitrary, yet anthropological research has shown that there is scarce a sin condemned in the Decalogue which has not been or may not now be regarded rather as a virtue, or at least as an allowable practice, at some time or place among a portion of mankind, and no one would be so hardy as to judge, with the severity of the Hebrew law-giver, those who merely follow the habits and customs in which they have been trained. We regard the gallows as the rightful portion of him who slays his fellow-creature for gain, yet who among you would inflict the death-penalty on the head-hunter of Borneo? You would condemn the superstition which leads him to glory in the deed, but your conscience would acquit him of personal guilt, for he but follows the tradition of his race, and he may, in all other human relations, lead an exemplary life. The actor in a Corsican vendetta is not to be judged as a common murderer, although his life may rightly pay to society the forfeit arising from his being the survival of an older and ruder civilization.

Race, civilization, environment — all influence the moral perceptions, which vary from age to age; while the standards of right and wrong are modified and adapted to what, at the moment, are regarded as the objects most beneficial to the individual or to the social organization. At one time these may concern the purity or advancement of religion; at another, self-preservation or the welfare

of the clan or the nation ; at another, personal well-being and the development of industry as a means to that end. Whatever stands foremost in any given period will be apt to receive special recognition from both the ethical teacher and the law-giver. It is to legislation that we must look if we desire to understand the modes of thought and the moral standards of past ages ; and a comparison of these with those now current will show how unstable and fluctuating are ethical conceptions. We are unable to conceive of vicarious punishment as justifiable, yet Hammurabi in some cases slays the innocent son and lets the guilty father go scatheless. To us the idea of levirate marriage is abhorrent, but it has been regarded as legally a duty by races so far removed from each other in origin and distance as the Hebrew and the Hindu. Among the Hebrews the severest of all penalties was lapidation, which was reserved for the most atrocious crimes. Of these — omitting sexual aberrations, which we need not consider here — Thonissen enumerates eight — idol-worship, consecration of children to Moloch, magic and divination, blasphemy, Sabbath-breaking, cursing a parent, and disobedience to parents. Examine our modern codes, in which these have either disappeared or are treated as comparatively trivial offences, and you will be constrained to admit that crime is largely conventional, dependent not on an eternal and imprescriptible moral law, but on the environment in which a portion of mankind happens at the time to be placed. To the Hebrew priest the preservation of his religion was the one essential thing, and no penalty was too severe for aught that threatened its supremacy.

So it was in the middle ages when the priest erected a similar standard of morals, claimed for it the sanction of divine law, and compelled its insertion in statute law. No character in medieval history stands forth with greater lustre than the good St. Louis of France, yet, if his faithful biographer de Joinville is to be believed, he held that the only argument which a layman should use with a heretic was to thrust a sword into him ; and we know by authentic documents that he fostered the nascent Inquisition and had no scruple in enriching his treasury with the confiscations resulting from the burning of heretics. We of to-day are not lacking in religious convictions, though we are learning the lesson of toleration ; lapidation and the stake for opinion's sake are abhorrent to us, but who among us would feel justified in applying Lord Acton's formula and condemning the Hebrew or St. Louis when we feel that they acted on profound conviction ? No English jurist has left a fairer record than Chief Justice Hale, yet he calmly sent to the gallows poor old women for witchcraft, such being the law of the land to

which he gave his hearty concurrence. Would you condemn him as you would a modern judge? Voltaire has sufficiently shown the use that may be made of thus trying one age by the standards of another in his mocking sketch of David, the man after God's own heart.

It may perhaps be urged that in thus asserting the temporary and variable character of morals we are destroying the foundations of morality in general and the eternal distinction between right and wrong. This is begging the question, for it presupposes that there is a universal and inflexible standard of morals. Such there may be, like the so-called Law of Nature of the scholastic theologians, but the history of mankind fails to reveal it, and the truest test of any period is the standard which it made or accepted, for this shows, better than aught else, whether it was a period of progress or one of retrogression. Speculations enough there have been among philosophers, ancient and modern, as to the origin of the conception of what we call sin and righteousness, which would lead us too far from our subject to discuss here. Suffice it to say that what we find current around us is merely the result of the finite wisdom of our ancestors adapting themselves to the exigencies of their surroundings. We have fortunately inherited the noble ideals of the School of Hillel, broadened and deepened and rendered applicable to all mankind by the teachings of Christ. We have accepted them in theory for well-nigh two thousand years, yet only within a century or two has there been any serious effort to reduce them to practice; and that effort thus far has been more significant in its failures than in its successes. There is ample work before us in laboring for their embodiment in our daily lives, and we can well afford to cast the mantle of charity over those who in fact have been only one or two steps behind us in the application of the Sermon on the Mount.

Meanwhile, as connected with our subject, we may reflect that there is some truth in the distinction drawn by the casuists between material and formal sin—the sin which a man commits in ignorance being venial, while that which he does knowingly is mortal. This doctrine is not without its dangers, and Pascal has exposed the unmoral results to which it may lead in skilful hands, but, for our purpose, it may be borne in mind when we feel called upon to pass judgment on historical characters. It makes the human conscience the standard of conduct. If a man does wrong, conscientiously believing it to be right, he is justified before God; if he does right believing it to be wrong, he is condemned. Roughly speaking, in a region so full of pitfalls for unwary feet,

the theory of invincible ignorance, though liable to abuse, is not to be overlooked.

Thus far, I have sought briefly to show that Lord Acton's dictum is defective in principle. As regards its practical application, I presume that you will agree with me that history is not to be written as a Sunday-school tale for children of larger growth. It is, or should be, a serious attempt to ascertain the severest truth as to the past and to set it forth without fear or favor. It may, and it generally will, convey a moral, but that moral should educe itself from the facts. Characters historically prominent are usually so because they are men of their time, the representatives of its beliefs and aspirations; and they should be judged accordingly. If those beliefs and aspirations lead to evil, the historian should seek to trace out their origin and development, and he can, if he so chooses, point out their results; but he should not hold responsible the men who obeyed their consciences, even if this led them into what we conceive to be wrong-doing. It is otherwise with those who have sinned against the light vouchsafed to them, for to condemn them is simply to judge them by the standards of their time.

In other words, this is merely to apply the truism that the historian should so familiarize himself with the period under treatment that, for the time, he is living in it, feeling with the men whose actions he describes, and viewing events from their standpoint. Thus alone can he give us an accurate picture of the past, making us realize its emotions and understand the evolution of its successive stages. This is the true philosophy of history, and from this the reader can gather for himself the lessons which it teaches.

To depart from this and to inject modern ethical theories into the judgment of men and things of bygone times is to introduce subjectivity into what should be purely objective. We all of us have our convictions — perchance our prejudices — and nothing for the historian is more vital than to be on his guard against their affecting his judgment and coloring his narrative. Above all things he should cultivate the detachment which enables him soberly and impartially to search for and to set forth the truth. He may often feel righteous indignation — or what he conceives to be righteous — but he should strenuously repress it as a luxury to be left to his reader. Moreover, he should beware of theories; for when a theory once takes possession of a writer it renders him an unsafe guide and inspires reasonable distrust. The historian who becomes an advocate or a prosecutor instead of a judge forfeits his title to confidence, and, if he aspires to be a judge, he should not try a case by a code unknown to the defendant.

Perhaps this somewhat dry disquisition can be rendered more interesting by a concrete example; and for this I know of none fitter than Philip II. of Spain, whose character has exercised so many brilliant pens. Our eloquent Motley, who represents him as a monster with scarce a redeeming trait, says that "To judge him, or any man in his position, simply from his own point of view, is weak and illogical. History judges the man from its point of view. It condemns or applauds the point of view itself. The point of view of a malefactor is not to excuse robbery and murder. Nor is the spirit of the age to be pleaded in favor of the evil-doer at a time when mortals were divided into almost equal troops" (*History of the Netherlands*, I., 6). This is the language of a partizan and not of an historian; and the writer is blind to the inference to be drawn from another remark, "That monarch considered himself born to suppress heresy and he had certainly been carrying out the work during his whole life-time" (*Ibid.*, I., 257).

Now Philip II., as an abstract object of contemplation, is in no sense an attractive figure. In all that awful sixteenth century there was perhaps no one who wrought, directly or indirectly, so much of human misery, no one who was more ready to supplement open force with secret guile, no one who hesitated less to resort to corruption or, if needs be, to murder. To the historian who is content with the surface of things, it is easy to condemn him offhand and to adduce ample evidence in support of the verdict—the execution of Montigny, the assassination of William the Silent and of Escobedo, the terrors of the Tribunal of Blood, the horrors of the rebellion of Granada, the stimulation of the wars of the League, the systematic bribery by which he bought the secrets of every court in Europe, to say nothing of the satisfaction which he derived from the spectacle of his own subjects in an *auto de fe*. All this is true, and to the superficial observer it may seem idle to say a word in extenuation of so black a catalogue of misdeeds. Yet the student in earnest quest of truth may reasonably pause and ask himself whether Philip is to be held morally responsible for all these crimes, whether he was a mere bloodthirsty tyrant who rejoiced in the infliction of suffering on his fellow-creatures and revelled, like the Emperor Claudius, in witnessing human agony; or whether he was the misguided agent of a false standard of duty, and conscientiously believed himself to be rendering the highest service to God and to man. If the latter be the case, we must acquit Philip of conscious guilt, and reserve our censure for the spirit of the age which misled him. If Elijah is praised for slaying in one night four hundred and fifty priests of Baal, how is Philip to be condemned for merely utilizing

larger opportunities in the same spirit? Does not, in truth, the difference lie only in the question, Whose ox is gored? Even in the assassinations which he ordered he had the assurance of his confessor, Fray Diego de Chaves, that a prince was fully authorized to take the lives of his subjects without process of law.

When, in fact, we analyze his reign, we find that the enforcement of religious unity was the primary motive of his public career, and that it was the object of almost all the acts for which we are asked to condemn him. For three hundred years it had been the uncontested rule in both church and state that the obstinate dissident, or heretic, was to be put to death by fire. Even men of the largest Christian charity accepted this as one of the eternal verities, and he who ventured to question it became himself a heretic who must either recant or share the same fate. Heresy was not only a sin, subject to spiritual animadversion, but a crime visited with capital punishment by all the secular codes of Europe. Pity were better invoked for the murderer or the highwayman than for the heretic; for the heretic was the slayer of souls, while the ordinary criminal affected only the body or the purse. With the outbreak of the Reformation, the threatened disruption of the unity of faith inflamed to the highest pitch the zeal for its preservation, though we need not pause to inquire how much the lust of worldly power and wealth disguised itself under the striving for the salvation of souls. When dynasties depended on dogmas, religion became of necessity the most absorbing of public questions, and the self-deception was easy which clothed secular ambitions in spiritual garments. In the passions of the tremendous struggle each side was equally sure that it alone possessed the true faith, which was to be vindicated with fire and sword. If the canon law required sovereigns to put heretics to death, Luther in 1528 subscribed to a declaration of the Wittenberg theologians prescribing the same fate for those whom they classed as such. If Paul IV. in 1555 decreed that all who denied the Trinity should be pitilessly burned, even though they recanted and professed conversion, he but followed the example which Calvin had set, two years before, in the case of Miguel Servet. If France had her Feast of St. Bartholomew, Germany had led the way in the slaughter of the Anabaptists. If Spain had her Inquisition, England in 1550, under the reforming Edward VI., created a similar organization, with Cranmer at its head, and Ridley, Miles Coverdale, and other eminent Protestants as inquisitors, to seek out, try, and punish dissidents, and to abandon to the secular arm those who proved to be obstinate. Motley fell into grievous error when he asserted that in the six-

teenth century "mortals were divided into almost equal troops" concerning the "spirit of the age." Those whom he represents as struggling for freedom of conscience only wanted freedom to coerce the consciences of others, as was shown in 1566 by the Fury of Antwerp, and in 1618 when the Synod of Dort sat in judgment on the Remonstrants. How the Calvinists shared the "spirit of the age" is well expressed in John Knox's exulting declaration that in 1561, before the arrival in Scotland of Queen Mary, "the Papists were so confounded that none within the Realme durst avow the hearing or saying of Masse then the thieves of Tiddisdale durst avow their stouth or stealing in the presence of any upright judge." The Massachusetts law of October 19, 1658, under which Quakers were put to death on Boston Common, suffices in itself to show that this conception of public duty was not confined to one race or to one confession of faith.

This was the inevitable result of the deplorable doctrine of exclusive salvation, which rendered the extinction of heresy a duty to God and man. To its abandonment by Protestantism is attributable the gradual spread of toleration. To its retention by the Latin Church is ascribable the Ordonnance of May 14, 1724, under which, so late as 1762, Rochette, a Pastor of the Desert, was executed, merely for performing the rites of his religion. It is, moreover, the inspiration of the encyclic of 1864 in which the kind-hearted Pius IX. ordered every Catholic to condemn the error that a man is free to follow the religion which his reason dictates.

The embers which thus are not yet extinct were burning fiercely in the sixteenth century, and into its superheated fanaticism Philip II. was born in 1527. The very air which he breathed in childhood and youth was surcharged with all the elements that made persecution a supreme duty and toleration a denial of God. His tutor was a narrow-minded bigot, Martínez Siliceo, rewarded in 1541 with the see of Murcia, and in 1546 with the primatial dignity of Toledo, where he distinguished himself by forcibly introducing the rule that no cathedral preferment should ever be conferred on one who had the slightest trace of Jewish or Moorish blood. Under such guidance, in such environment, and with the example before him of his father as the champion of Catholicism, it was impossible for a youth of Philip's sickly frame, limitations of thought, sluggishness of intellect, habitual suspicion, and obstinate tenacity of purpose to be other than what he was. When he succeeded to the great Spanish monarchy and found himself the most powerful sovereign in the civilized world, with authority stretching from the North Sea to the Mediterranean and from the farthest Atlantic to the Indian

Ocean, he could scarce fail to regard himself as the instrument selected by Providence to defend the true religion and to overcome the powers of evil which had risen to supplant the Kingdom of God. He could not but feel that this enormous power had been entrusted to him for a purpose, and that it carried with it a correlative obligation to employ it for that purpose. To borrow the happy phrase of Major Hume, he felt himself to be the junior partner of God, and in carrying out with unswerving resolution the plans of God he was answerable to no human judgment.

If, in the performance of this supreme duty, he found or deemed it necessary to employ craft and cruelty, treachery and corruption, he was but combating the adversaries of God with their own weapons — weapons, indeed, which the statecraft of the age had rendered familiar to all, and which were sanctified by the cause to which they were devoted. The maxims which Machiavelli had formulated with such cynical clearness were utilized by others to gratify the lust of vulgar ambition; should he be debarred from using them when interests were at stake superior to all worldly possessions? Nor, indeed, is the present age entitled to cast the first stone at the sixteenth century, when we consider the duplicity and the contempt for human rights which have continued to mark the career of statesmen from that time to this, save perhaps in the matter of assassination, which has been abandoned to anarchism.

Apart from religious convictions, moreover, Philip as a statesman might well feel it to be his supreme allotted task to preserve in his own dominions the unity of faith which at the time was, reasonably enough, regarded as the absolute condition precedent of internal peace. Religious differences were not mere academic questions to be debated in the schools with more or less acrimony. We need not pause to ask against whom the responsibility for this is to be charged, and we may be content to accept the fact that in the passionate zeal of the time there was nothing which so deeply stirred popular feeling or lent more bitterness to civil broils than the theological issues which to-day arouse an interest comparatively so faint. Philip might well look upon the internal wars of Germany and France as a warning to keep his own territories free from the pestilent innovators, whose claim to exercise freedom of conscience included the right of resistance to any authority that denied the claim. To him they were perturbators of the public peace, potential rebels who at all and every cost must be prevented from gaining a foothold if the prosperity of the state and the divine right of kings were to be maintained. In the earlier years of his reign the growing disquiet of the Netherlands emphasized the importance

of this precaution and, in the latter part, the fierce struggle which exhausted his resources demonstrated the necessity of strangling heresy in the cradle.

Human motives, as a rule, are complex: pride and ambition doubtless had their share in those which urged him on his course, especially when he nourished vain hopes of establishing a daughter on the throne of France; but religious conviction and the welfare, temporal and eternal, as it was then regarded, of his subjects were ample to impel him along the course which he had inherited with his crown and for which he had been carefully trained. Philip at least was no hypocrite using religion merely as a pretext. The sincerity of his faith cannot be called into question, and, if his favorite vice was licentiousness, the dissociation of religion and morals is too common an anomaly to excite special incredulity. The keen-witted Venetian envoys concur in admitting his piety, although their experiences at his court were not such as to propitiate their favor, and they were by no means blind to his defects. Perhaps the severest characterization of him is that of Gianfrancesco Morosini in 1581: "His temper is cruel, although he covers it with zeal for justice. He was never known to pardon a criminal, even his own son. He shows no affection for his children and no sign of regret at the death of his nearest kin. He is a great observer of religion, but is very vindictive. Yet he manifests no signs of it, and there is a proverb in Spain that between the king's smile and a knife there is little to choose."

A portion of this unflattering characterization is justified by Philip's treatment of his erstwhile favorite, Antonio Pérez, who had abused his master's confidence and had misled him into ordering the murder of Escobedo; but in other respects the habitual Spanish self-control, the studied repression of all exhibition of feeling under an exterior of kindly courtesy, deceived the Venetian, for Philip was in reality a most affectionate father. No one can read his familiar letters to his daughters, girls of fourteen and fifteen, written during the cares of his conquest of Portugal in 1581 and 1582, without recognizing a most unexpected side of his character, while his allusions to their letters to him show that the family intercourse was delightfully intimate and unreserved. His solicitude as to their welfare is extreme; he relates whatever is passing around him that he thinks will amuse or interest them; there is no sermonizing, but only the unaffected expression of a love that is sure of reciprocity. When he commences a long letter, June 26, 1581, by saying that he had been unable to write on the previous Monday, and now, in order to prevent a similar omission, he begins before taking up

the business that will probably occupy him until late, we recognize that he did not allow the cares of state to choke up the fountains of mutual affection. Even more unlooked for are the references to Madalena, an old serving-woman who scolds him and threatens to leave him when he does not please her: on one occasion she had promised to write to the girls but had not shown herself; perhaps wine was the cause of this, but if she knew of his suggesting such a thing she would make him smart for it. Altogether this revelation of the *vie intime* of Philip and his family gives us a more human conception of the gloomy monarch whom we are accustomed to picture to ourselves as ensconced in the Escorial, toiling through the midnight hours in scrawling notes on ever-accumulating despatches and interminable *consultas*.

The unaffected tenderness of the relations between Philip and his daughters throws some light on the tragedy of Don Carlos, which has been used so effectually to blacken Philip's memory. Nothing but a sense of the most absolute necessity would have led him to deprive his son of the succession, which would have relieved him of the burden of royalty. Sickly and suffering, indolent by nature, and fond of country life, if he had had sons fit to govern, Sigismondo Cavalli tells us, in 1570, that he would have abandoned to them all affairs of state and have retired to the Escorial. Unfortunately, Carlos by his wayward excesses had long forfeited the affection and confidence of his father when in 1568 he was confined. From his early years he had been an object of dread to all who looked forward to his future reign. At the age of twelve, Federigo Badoero describes him as bright and quick, but fierce, passionate, and obstinate; when small animals such as rabbits were brought in from the chase, he took delight in roasting them alive and watching their agonies; at a still earlier age, when he learned that the marriage-treaty between his father and Mary of England provided that the Netherlands should descend to their issue, he declared that he would not submit to it but would fight his future half-brother; and he wrote to Charles V., then in Brussels, and asked to have a suit of armor made for him. As he reached manhood, the curse of insanity, which he inherited from his great-grandmother Queen Juana *la loca*, developed into actions manifesting his dangerous unfitness for the throne. At the age of twenty-two he one day shut himself up in his stables for five hours, and when he came out he left twenty horses maimed with the most brutal cruelty. The slightest cause of displeasure provoked threats or attempts to poniard or to throw out of window, irrespective of the dignity of the offender. In one of his midnight sallies through the streets of Madrid, a little

water chanced to fall upon him, when he ordered the house from which it came to be burned and its occupants to be put to death ; and his servants only evaded his commands by pretending that when they went there for the purpose they were prevented by finding that the holy sacrament was being carried in. When to these evidences of a disordered brain we add the unpardonable indiscretions manifested in the conduct of public business in which Philip was endeavoring to train him, we may imagine how the father might well shudder at the prospect of his vast monarchy, the bulwark of the Catholic faith, falling into such hands at a time when all constitutional barriers had been broken down and no check existed to curb the impulses of the sovereign. He might well fear also for his own life ; for Carlos had avowed mortal hatred of him, and in a nature so violent and ungovernable that hatred might at any moment express itself in acts. Yet what to do with a successor to whom the estates of Castile had already sworn allegiance was a problem to tax to the utmost the wisdom of the king and his advisers. Simply to declare him incapable of succession, to ask the *córtes* to revoke their oaths, and to await the birth and maturity of some more promising heir would merely be to invite insubordination and civil war, with the prospect that Carlos, if left at liberty, would execute the design which was the immediate cause of his arrest, of flying from Spain and raising Italy or Flanders in open revolt. The only practicable solution seemed to be to treat him as Queen Juana had been treated — to place him in confinement, where, in the course of six months, despair led him to commit such excesses of alternate gluttony and abstinence that his fragile and enfeebled frame sank under them. The cold impassiveness with which Philip watched the extinction of a young life that had opened under such brilliant promise invites criticism, but what was passing under that exterior trained to repress all manifestations of emotion none may guess. Paternal affection, it is true, had been chilled by the strained relations which had long existed ; but the complications in his plans caused by the catastrophe must have been the severest of trials, and he doubtless sought consolation in imagining himself to be repeating the sacrifice of Abraham. Prescott, it seems to me, shows a curious blindness to the situation when he asks the question, "Can those who reject the imputation of murder acquit that father of inexorable rigor towards his child in the measures which he employed or of the dreadful responsibility which attaches to the consequences of them ?"

It has been no part of my purpose to attempt the rehabilitation of Philip. I have simply sought to represent him as an ordinary

man fashioned by influences which one may hope will wholly pass away in the course of human progress, although the *affaire Dreyfus* and the massacre of Kitcheneff show how the fires of the persecuting spirit are still occasionally rekindled in their ashes. To judge of Philip in this manner is not to approve, tacitly or overtly, the influences which made him what he was — what, in fact, he could not help being. These influences we may condemn all the more heartily when we see that they made of a man, slow of intellect but obstinate in the performance of what he was taught to regard as his duty, the scourge of his fellow-creatures in place of being their benefactor. We can, moreover, enforce this lesson by the fact that this perverted sense of duty proved a curse not only to those on whom he trampled, but to his native land, which he fondly imagined that he was guiding to the height of glory and prosperity. It had already been dangerously crippled by his father, whose striving for the universal monarchy was disguised by zeal for the faith. Philip's ardor in the extirpation of heresy not only wasted the millions which he drew from the mines of the New World, but exhausted Spain to a point that left for his successors a land of indescribable misery, of which the outward decadence but faintly reflected the internal wretchedness. Yet the principles which misled him survived him, and to the Spaniard of the seventeenth century Philip the Prudent remained the incarnate ideal of a Catholic prince.

It is not to be assumed that history loses, in the colorless treatment which I advocate, its claims as a teacher of the higher morality — if I may be allowed thus to designate some system of practical ethics superior to that in which we of to-day are groping somewhat blindly. To depict a man like Philip as a monster of iniquity, delighting in human misery, may gratify prejudice and may lend superficial life and vigor to narrative, but it teaches in reality no lesson. To represent him truthfully as the inevitable product of a distorted ethical conception is to trace effects to causes and to point out the way to improvement. This is not only the scientific method applied to history, but it ennobles the historian's labors by rendering them contributory to that progress which adds to the sum of human happiness and fits mankind for a higher standard of existence. The study of the past in this spirit may perhaps render us more impatient of the present, and yet more hopeful of the future.

As one of the last survivors of a past generation, whose career is rapidly nearing its end, in bidding you farewell I may perhaps be permitted to express the gratification with which, during nearly half a century, I have watched the development of historical work among

THE PODESTÀ OF SIENA

AMONG the almost infinite diversities which mark the constitutional evolution of the medieval communes of Italy, it is possible to distinguish three well-defined periods of development, through which they all passed. Having achieved self-government and virtual sovereignty under the magistracy of the consuls, they gave themselves a closer and more effective organization under the podestà, only to yield, shortly, to the demands of the great masses, arriving through the industrial arts at the consciousness of their dignity as political beings, and to inaugurate an epoch of democratic experiments unparalleled in fervor and abundance of life, unless we travel back to the old city-states of Greece and Sicily. Of these three stages the writer purposes to treat only of the second, marked broad with the name of the podestà, and of this magistrate to investigate his origin, functions, and decay, only within the frame of the political destiny of the single city of Siena. This town of southern Tuscany — Sena Vetus, Civitas Virginis, as the tender title ran, wherewith its sons commemorated it upon their seals and coins — lies among the foot-hills of the Maremma mountains, and its ancient walls, raised to shelter it against the power of the emperors and the still more formidable forces of jealous neighbors, yet enclose it, no longer, however, with their former air of challenge, but softly, lovingly, as though only concerned now to shield it against the disruptive agencies of a new and different age, plotting and threatening, vaguely but dangerously, somewhere beyond the line of the blue hills. When this city, its walls, towers, houses, and steep-tiled roofs flush red with the sunset, the home-bound native, mounting from the valley or winding along a neighboring crest, still looks up and mutters his exclamation of delight, and the chance guest from foreign parts, moved spectator of the scene, has suddenly borne in upon him some of the deeper meanings of that conservatism for which this commune was known even in the days of its splendor, and by means of which it has retained, as no other city of its size in all Italy, its medieval character. Narrow street and sunlit square, Gothic church and battlemented palace still bear witness to the general traveler of Sienese piety and love of home; to the student of history these characteristics reveal themselves in a particular way

by a rich and admirably-managed archive, and by the numerous contributions and researches through which a handful of local students have sought to give currency to the documentary treasures of their past. Crown and summit of these is the truly monumental publication of the constitution of 1262 by Lodovico Zdekauer, with which that distinguished jurist has furthered historical investigation in the whole medieval field of Italy, and has poured a flood of light upon that official who forms the subject of this study—the podestà. It is this constitution which has brought the podestà out of the mists of time and has made him a definite historical figure. What follows is largely founded upon the materials contained in this vast publication.

The origin of the podestà at Siena can no longer be regarded as surrounded with impenetrable darkness. And owing to the general similarity of Italian communal conditions, it is no over-bold assertion to maintain that what is established for Siena in this particular is sure to have more or less close application to other towns. Perhaps it will not be entirely superfluous for the writer to state at the outset his point of view toward his material. It is too common to look upon the rise of the podestà as a violent interruption of what certain authors are pleased to call the democratic régime of the consuls, and as a kind of monarchical usurpation, which the people, after having suffered for a while, rising in their might, brought to an end. Although it would be ungracious to say a single word against good old Sismondi, who originated this theory, it is both necessary and proper to warn against the habit of mind from which flowed most of the errors of the Swiss historian. Following a tendency of his age, he crowded the facts of the past into the convenient compartments of modern political philosophy, with the result that the authority of his name has given persistent life to the above and to many other perverse and injurious views. Surely a more reasonable and temperate path to follow is to accept the podestà as a perfectly natural evolution, provided, as is every effect, with a sufficient cause. The present inquiry proceeds from this hypothesis and aims merely to set down in order all the material about him which the documents will yield.

In order to understand the conditions under which the podestà originated, we must go back to the consular régime, in which he had his roots. Although the documents for the era of the consuls are not nearly so plentiful as for the later period of the podestà, and therefore much room is still left for conjecture concerning the first period of freedom, nevertheless much accurate information is now at hand concerning the origin and functions of the consuls,

chiefly through the remarkable contributions of Davidsohn. However, this article does not concern itself with the consuls; its business is with the podestà, wherefore it will not be taken amiss if the characteristics of the consular epoch, which affected the constitution of the podestà, are given here in rapid outline without an attempt at systematic evidence.

Toward the close of the twelfth century the situation was approximately the same in every Tuscan commune. The consular government was declining to its setting. Under its banner the young cities had done great deeds; they had put forward their claim to independence, and had heroically and successfully defended their young freedom against the barbaric régime represented by emperor and territorial nobility. But the consular government had perforce a loose, fortuitous character, corresponding to the haphazard conditions of its birth. Offices created or powers delegated to meet a newly-risen necessity were abandoned as soon as the conditions changed and the old necessity yielded to a new. That the first free government created on feudal soil was a rude and imperfect mechanism is not very astonishing, when we reflect that its artificers neither found help in their own practical experience, nor enjoyed the mental advantage of a long historical perspective, furnished in our own day by schools and libraries. Under these uncertain conditions the power fell naturally into the hands of the well-to-do, who combined with their riches, or rather possessed because of their riches a higher measure of enterprise and intelligence. Not that the commune is other than a democratic product, the achievement of the combined and harmonious action of all orders of citizens. But the masses seem to have yielded voluntarily, during these first steps in regions dark and unexplored, to the direction of their more influential fellow-citizens; and the superiority inherent in birth, wealth, and intelligence was firmly clinched by the fact that the first business of the new organization was to provide for its defense, and that, whenever the call to arms was sounded, only the wealthier citizens could provide horses and fight as knights or *milites*, whereas the common people, armed as their means permitted, had to content themselves to serve as foot-soldiers or *pediles*. The constitutional development of the commune in its whole first period (1100-1200 approximately) turns about the relation of these two classes—the two military orders, dividing between them the male population of every Tuscan town. It will be well to hold fast to this simple fact, and not to allow it to be obscured by a problematical social element, which some writers have elaborately exploited. We have been told frequently of a noble faction of Ger-

man descent—heirs of the Teutonic conquerors—which was settled in all the Italian cities, and did its best to clog the wheels of municipal progress. The assumption of such a body of unassimilated foreigners in the commune of the twelfth century is based on a misunderstanding, and can contribute nothing to the solution of the constitutional problem. It will be found safer not to abandon the region of fact, and fact establishes that there were nobles resident within the pale of every commune from its earliest days of freedom, but whether they were of German or Roman descent rarely appears, and was a matter of indifference, the sole distinguishing feature of the privileged class being, as I have already shown, that it was composed of those citizens who, when the local army was called out, served as *militēs*. This expensive military service was so exclusively the mark of nobility that commoners who had enriched themselves by trade to the point where they were enabled to ride to war on horseback were also regarded as *militēs*. Doubtless they were snubbed at first, in the usual fashion, by the men of still older wealth, who looked upon themselves, in comparison with their upstart rivals, as an aristocracy of blood; but the rich were soon inseparably fused by virtue of their riches, without regard to the date at which they had acquired them, and at later times at least, were never distinguished, for common parlance and the law itself designated the descendants of all the great families of the consular era as *magnati*.¹ The *miles* was therefore the local noble, but the local noble owed his position not so much to birth as to wealth; and all the later popular fury which assaulted and finally brought him low, while in part, it is true, directed against his military and feudal habits incompatible with a democratic and commercial commonwealth, was more especially directed against a position of privilege founded upon material resources. It is becoming every day more and more clear that the key to the political revolutions of the Italian communes must be sought in the industrial situation,² and that the popular outcry against the noble was quite as much an attack upon the capitalist.

Here then, to recapitulate, are the features to be kept in mind of the first free or consular period of government. First, the institutions were in the experimental stage, and presented the picture of a hurried, haphazard, and faulty mechanism. Second, the power was in the hands of the wealthy class, who, because they rode to war on

¹ The most lucid explanation of how these early military divisions of the commune gave rise to the social and political classes is given by Davidsohn, *Geschichte von Florenz*, Band I., 685 ff.

² See the latest book which propounds this theory, Arias, *I Trattati Commerciali della Repubblica Fiorentina* (Florence, 1901).

horseback, were called *militēs* or knights, and gave themselves feudal and aristocratic airs. Third, the democratic movement, which had its beginnings in the consular era, although how and when is not entirely clear, was a protest on the part of the dispossessed against the privileges, both political and economical, of the noble class.

We turn now to the influences which led to the transformation of the government of the consuls into that of the podestà. This happened almost simultaneously all over Italy, but we are concerned only with Siena. The consuls of this town, always three at least in number, though often more than three, held their office for one year. They were appointed by the council — the meeting of the citizens or their delegates — and at the end of their term again reported to this body. Their administration was reviewed, and in case of malfeasance they might be severely punished. This process of audit, which was gradually extended to all other officials of the commune, was called *sindacamentum* (Ital. *sindacato*), was long retained, and is one of the most important institutional features of Sienese public life. Its existence during the consular era can be satisfactorily proved from the constitution published by Zdekauer, which, although it bears the date 1262, contains embedded in it, as the editor in his introduction shows, many of the earliest features of Sienese self-government.¹ One article² in particular shows how it was the practice with which we are here concerned — that of *sindacamentum* — which contributed to the replacement of the consuls by the podestà. We read that the podestà must solemnly swear to hold the consuls to their accounting. This passage, which in the year 1262 was without meaning, because the consuls had already been abolished for half a century, is plainly a survival from an earlier redaction of the constitution, and clearly gives a hint as to the earlier condition of affairs. Its meaning can be none other than that the podestà, before he crowded the consuls out of office, was called in temporarily, at the end of their term, to investigate their conduct. Probably the council came to consider itself unequal to the task of *sindacamentum*, or at least became impressed with the convenience of having the audit carried out by an appointee who had its confidence. Since there were here, as everywhere and always, people who had an ax to grind, the choice of this person, charged to act as supreme arbiter,

¹ The constitution of 1262 is of that year in the sense that it was transcribed on parchment in that year, not in the sense that the institutions which it enumerates and defines were then originated. On the contrary, Zdekauer brilliantly shows that many of them go back a century, and that most of them were created at the call of some necessity arising in the preceding hundred years.

² *Distinctio II. 174*: Et post depositum eorum officium constringam consules comunis et placiti, qui modo sunt, et omnes eorum officiales, ad rationem faciendam, etc.

must soon have become a matter of the highest importance; and it is only natural that the council should have been prompted to look beyond the agitated sphere of city politics to some disinterested foreigner to fill the post. And it is no less natural that on finding such a foreigner, one who filled all the requirements, especially the one of non-partisanship, the council should have been inclined, not only to have him audit the administration of the consuls, but also to let him continue in office in their stead.

Here then is an interesting hint as to the means by which the podestà was introduced into the Sienese government, but, of course, this suggestion does not exhaust the matter. Other circumstances concurred to effect the change. The consulship, as a many-headed executive, had been proved everywhere to have its inconveniences. Division of authority among many fostered cliques and nourished feudal rancors¹; and in case of war, the action of the city was weakened by conflicting counsel.² Finally, consolidation, the progress from a loose to a more compact organization, must have been operative here, as it would be with every active and ambitious commonwealth. The upshot of all these influences was that at the turning of the twelfth century all the Tuscan communities are found to be experimenting with the new office, and after a period of uncertainty, during which the choice fluctuates between consuls and podestà, definitely incorporate the new magistracy in their system.

According to the Sienese Chronicle of Andrea Dei,³ the first podestà of Siena belongs to the year 1199. He was Orlando Malapresa of Lucca, therefore a foreigner. During the next two years, 1200-1201, Filippo Malavolti, a native nobleman, held the coveted post, while during 1202 and 1203 the consuls crop up once more, and in 1209⁴ are again resorted to. As late as 1230 we find not one but two podestà. Here then may be observed a very uncertain practice, which seemed to be in no hurry to congeal into hard and fast forms. Out of the confusion so much is clear: shortly after 1209 the podestà became a fixture in Siena, and at the same

¹Of this discord among the great families for the possession of the consulship the chronicles preserve a confused record. For instance in 1177 the city of Florence was partially reduced to ashes because of such a quarrel. See Hartwig, *Quellen zur Geschichte von Florenz, Annales Florentini*, II. 69 ff.; Davidsohn, I. 555 ff.

²That the weakness of the many-headed executive was understood is proved by the appointment in 1151 at Siena, for a brief period, of a kind of dictator, one Scudacollus. See Ficker, *Forschungen zur Reichs- und Rechts-Geschichte Italiens*, IV. 120.

³Published by Muratori, *Rerum Ital. Scriptores*, XV. The very valuable and ancient material in this chronicle has never been separated from its later accretions. Old and new are welded together in one confused mass. In its present state it must be used with caution.

⁴Ficker, IV. 220, 223.

time opinion set definitely toward a foreign rather than a native choice. That the authorities, however, were unwilling to have their hands bound in this matter is proved by an article of the constitution of 1262, according to which the council, half a century after the institution of the podestà of foreign birth, still reserved to itself the right to decide each year whether the new podestà was to be a foreigner or a Sienese.¹ The end of this period of experimentation was that Siena, like all her neighbors, raised annually a foreign nobleman or *miles* to the post of chief executive, that is, instituted the *podestà forestiero*, whom she then retained under some form or other for a long time to come.

What were the functions of the new sovereign? The mantle of the consuls seems to have fallen so naturally upon the shoulders of the podestà that no evidences of any attendant revolutionary disturbances have come down to us. For such, indeed, it would be difficult to discover any adequate reason. The great families, fortified in the councils, controlled the destinies of the city in the consular era; with the podestà they introduced a small reform, affecting alone the supreme office in the state, and, for the rest, everything continued as it was. But the new ruler did not come into an absolutely undiminished heritage. The consuls being many and their functions numerous, they had been obliged to divide their duties among themselves, and one section—the *consules placiti*²—had presided over the *placitum*, or court of voluntary justice. These *consules placiti* were continued under the podestà—in fact, still existed, a strangely dwindled relic of the consular age, among the generations of the Renaissance. The other functions, however, that had been exercised by the consuls were taken over by the new official. To enumerate these functions in their plenitude, the podestà, as chief executive, carried out the legislative measures of the general council, and, above all, led the citizens to war; he was the head of the judicial system; and he had a not unimportant direct share in legislation, chiefly by his issuance of police ordinances or bans. These powers will be examined further on with more detail, when, with the constitution of 1262 in hand, we can exactly define his position at this later period; for the earlier period, for which no constitution exists to help us, suffice it to note, as above, that the podestà was the heir of the consuls, therefore the representative of the aristocracy in power, and that in addition to purely executive, he exercised also judicial and legislative functions.

¹ Constitution, I. 127.

² As to rights and duties, see their constitution, published by Zdekauer, *Il Constituto dei Consoli del Placito del Comune di Siena* (Siena, 1890).

And now, having noted the fullness of the podestà's original powers, we are obliged to give attention to the great social and political movement that began almost simultaneously with the establishment of the new chief, and immediately threatened and assaulted his position and the hitherto unshaken dominion of the *milites*. The people — artisans and smaller tradesmen — enter upon the stage, resolved to win political recognition. For this purpose they organized, conscious that in their union lay their strength; and if the records furnished us the date of this event, we could fairly call it the birth-year of democracy, the new democracy, as we understand the term, in the city of Siena. The earliest document¹ that refers to a *societas populi senensis* is of the year 1213, but the chronicler Andrea Dei² speaks of a new military organization of the people as early as 1209, and, according to this same authority, the people in 1212 were already so bold as to raise a tumult against the nobility, which St. Francis of Assisi, who happened to pass through Siena about that time, gently interposed to quiet. Although the early development of the new society is, owing to the scarcity of documents, wrapped in some obscurity, its character and aims soon appear with sufficient clearness. The *societas* or *universitas populi senensis* made itself the rallying-point of the Sienese masses, who by being excluded from the legislative council, known in Siena as the Council of the Bell, were deprived of political rights. The commune, nominally an affair of the whole citizen body, was really the privileged possession of the councilors of the Bell, and of the officials whom the council appointed; and the *populus* was organized for the purpose of conquering the offices and the state, and administering them for its own ends. It is to be constantly kept in mind that *populus* in this new sense means a political party, and must not be confused with the older use of the word people, designating not a class, but the entire body of residents. The plan of campaign of the people's party, if we may judge of its policy by its deeds, did not look forward so much to revolutionary action, as to a permissible political agitation. The Council of the Bell ruled, but its will was carried out by temporary committees known as *balie*, or by officials in offices that necessity had made permanent, but which at first had been nothing but *balie*. In this connection, it is well to be reminded that the consulship itself was in its origin only a *balia*, that is, an authority temporarily delegated by the meeting of the citizens. Now the leaders of the *populus* seem to have argued — at least the

¹ Zdekauer, introduction, xxxiii.

² Muratori, XV.: E in questo anno (1209) si cominciò a fare le campagne per la città delle contrade. See also note: Ed era fra'l popolo e nobili gran nemicitia e (St. Francis) fè fare pace e unione fra loro.

whole history of the party shows that this was the popular determination — that they should insinuate their own partizans gradually into the *balie* and offices, and end, not by overthrowing the commune, but by appropriating it.

The first great success was achieved in connection with the *Ventiquattro*, the Twenty-four. The first documentary mention of their existence is of the year 1238, when they are designated as *sindici et procuratores universitatis populi Senensis*.¹ Why, in view of this definite statement, Zdekauer should express the opinion that half of their number was of the noble class, is not clear. He cites in his support Paoli, but Paoli has no other evidence to offer than the incredibility of its being otherwise.² Until, therefore, some proof be forthcoming, it will be better to stick to the plain meaning of the Latin designation, and to look upon the Twenty-four as being recruited exclusively from the *populus*.³ And, once established, the Twenty-four looked out zealously for the interest of their clients, and proceeded vigorously about that which was evidently their chief business, the conquest of the commune. In 1240 they forced their way into the Council of the Bell, not without serious resistance on the part of the conservative elements⁴; and if they did not immediately assume control of that body from that year, they grew in influence so rapidly that to the Sienese of a later time the whole period from the moment of their entrance into the council to their fall, occurring in the year 1270, seemed to be stamped with their name. It is reasonable to suppose, however, that they were not from the first that directive power in the council which they afterward became. There was, for instance, the podestà — in 1240 still a power to be reckoned with. But, on the other hand, the acquisition of power and influence began immediately, and continued without intermission until the offices, *balie*, and the state itself were, in

¹ Zdekauer, introduction, l. See also lxx.

² Paoli, "I Monti nella Repubblica di Siena," in *Nuova Antologia*, 1891. A statement in Andrea Dei (Muratori, XV.) under the year 1212 supports Paoli's view, but it is manifestly of fourteenth-century origin, and therefore of small weight. The announcement under the year 1233, "e fecesi in Siena e Ventiquattro," is far more trustworthy — a simple statement of origin, leaving the question of composition undecided.

³ This view is ably defended by Salvemini, as against Paoli and Zdekauer, *Arch. Stor. Ital.*, Serie V., Vol. 21, p. 371 ff. Further support of it is furnished by the title that the Twenty-four — whose political character had meanwhile suffered no change — use in the year 1256: XXIIII partis ghibelline *populi* civitatis et comitatus Senarum (Zdekauer, introduction, lxxv). Another indication is found in a so-called *librum XXIIII*, being a list of those enrolled in the people's party (*Ibid.* lxxix). Why should the Twenty-four keep such a list, unless they were absolutely identical with the people's party? Also it is to be noted that the Twenty-four elect the captain of the people (*Ibid.*, I. 151). Would that business be entrusted to a committee, half of which are noblemen and enemies?

⁴ Muratori, XV., under the year 1240.

one way or another, directly or indirectly, inspired and dominated by the new will. It would take us beyond the scope of this study to set down all the evidences of this growth furnished in the documents. Suffice it here to give a bald enumeration of the more important advantages which they gained. Let the reader remember that every upward step of the *populus* buttressed the position of their agents, the *Ventiquattro*, in the council, and that, politically, *populus* and Twenty-four are one.

In 1242 the *libra* was extended to citizens outside the walls (*cives selvatici*).¹ The *libra* was the new tax-system based on movables and immovables, that is, it was a tax scaled according to a citizen's total wealth. It was introduced within the walls early in the century (Andrea Dei says² in 1202), and supplanted the feudal hearth-tax, which, falling alike on rich and poor, had been a manifest hardship for the latter. The *populus* naturally stood behind the more modern system of the *libra*, and every extension of its application over the Sieneze possessions must be looked upon as a victory over the magnates. In 1253 the people, satisfied up to that time with the looser system of three rectors, corresponding to the three *terzi* or main sections of the city, gave themselves a closer organization by the election of a single head, called captain.³ And now success follows success—an uninterrupted chain. From 1255 on we have the records of a firmly established Council of the People,⁴ which legislates nominally for its own members, that is, for the party of of the people, but tries to force and soon successfully forces its ordinances upon the commune, thereby giving them the validity of measures passed by the Council of the Bell. In the same year (1255)⁵ the *populus* deprives the podestà of his right of issuing bans, and in 1256 the *libra* is applied to the whole Sieneze dominion.⁶ And now the final triumphs: from the year 1257 one half of the *emendatores*, who are the *balia* or committee charged with the annual revision of the constitution, must be *popolani*⁷; in 1258 many of the officials of the people's party are already paid out of the city treasury, and therewith acquire a standing with the officials of the commune⁸; and in 1262 half of all officials elected in the Council of the Bell must be chosen from the party of the people.⁹

¹ Zdekauer, introduction, lxviii, 60.

² Muratori, xv.

³ *Ibid.*

⁴ Zdekauer, introduction xxv ff.

⁵ *Ibid.*, lxxv, 70.

⁶ *Ibid.*, lxxxiii.

⁷ *Ibid.*, lxxv, note 1.

⁸ *Ibid.*, lxxxv, 81.

⁹ Zdekauer, constitution, I. 518.

These then are the leading steps by which the people's party invaded and took possession of the commune. Only one thing remained to be done, and that was to claim a share in the legislative privileges of the Council of the Bell. This pretension was satisfied about 1262, for in the constitution of that year the Council of the People is called to a common session with the Council of the Bell whenever any of the more important political and legislative projects are to be discussed.¹

The bearing of this apparent digression, treating of the victorious campaign of the people's party and their twenty-four paladins, on the question before us, the question of the podestà, must leap into view. Till 1240 the podestà enjoyed undisturbed the full sovereign rights with which he had been endowed as the successor of the consuls. From that year, however, the year when the people introduced the Twenty-four into the Council of the Bell, his star began to pale. To distinguish: hitherto we have dealt with the podestà in his first period, the period of his undisputed sovereignty, extending from the beginning of the century to the year 1240; we have now to examine his decline, which from 1240 continued uninterruptedly until 1262—a point at which we can conveniently halt, and with the constitution of that year before us, examine accurately into the position to which he had been reduced.

In the year 1250 Uberto dell'Andito, a Lombard from Piacenza, was podestà of Siena. He was a man of much political experience and great energy of will, and left an indelible mark upon the Sieneſe constitution.² The accidental character of the administration, the waste and loose ends which littered the offices of a government, building under stress of daily necessity and without a fixed plan, must have been abhorrent to him, for with more than common courage he undertook a thorough housecleaning. He brought into one book the scattered police ordinances³ of the time (*banna renovata*), making therewith a beginning toward a regular criminal code, and he rendered an important constitutional service by a collection⁴ of the statutes of the various offices of the state (*breve degli ufficiali*). The *banna* of a podestà could contain of right only such decrees and threats of penalties as had been duly voted by the legislative branch, but Uberto ventured to draw upon that discretionary power inherent in every strong executive, and in many cases ventured to

¹ *Ibid.* See index, under head *consilium campane et populi*.

² See historical notice of him in Zdekauer, introduction, lxxi.

³ Published in part by Puccinotti, *Storia di Medicina*, II. Leghorn, 1855.

⁴ Published *in toto* by Banchi, *Arch. Stor. Ital.*, Serie 3, Tomo III., 1866. The publication both of *breve* and *banna* leave much to be desired. The originals are of course preserved in the Archivio di Stato at Siena.

modify the fines established by law. His proceeding was quite in accordance with contemporary usage, but seems to have aroused the ire of the new power in the state, the *societas populi*. At any rate this party had no sooner acquired a more aggressive form by giving itself a captain (1253), than it abolished the podestà's power to exercise an independent judgment in the issuance of bans.¹ This occurred in the year 1255, and it seems probable that to the same year belongs the prohibition of the podestà's engaging in any secret practices with the constitutional committee.² The existing record of this prohibition is of 1262, when it appears in the constitution of that year (Distinctio I. 142), but it is safe to assume that it was adopted some years before, in the time of the popular agitation against the legislative transgressions of the podestà. The total effect of these measures was to strip the city sovereign from this time forth of all legislative power. Thus the extraordinary energy which Uberto dell'Andito brought to bear upon the state, and the many services which he rendered, may be said to have undermined by a process of reaction the office which he desired to strengthen.

But the *populus* was far from being satisfied. The effort to wrest the scepter from the aging sovereign continued, and was now directed upon his military power. In the first half of the century the podestà had led the army of the republic into battle, but now he had a rival in the captain, the opposition party's natural head. Just how such a double leadership, sure to be full of suspicion and bitterness, was in practice harmonized with the interests of the state, can now no longer be made out, but an important suggestion, at least, is furnished by the constitution of the year 1262 (Distinctio I. 221). Here we read that from a military point of view podestà and captain are exactly equal, for either one or the other, but not both, shall be chosen to lead the host to war. This provision, to be sure, is comparatively late, being of the year 1262,³ but in a still earlier period there is evidence of the podestà's shaken military position, in his reduction, on one famous occasion, to complete military nullity. In the year 1260 the state of Siena was convulsed with its capital medieval crisis. The Florentines were on the point of taking

¹ See deliberation of the Council of the People, Zdekauer, introd., lxxv, note 5. This merely party measure was, according to the practice of the *populus*, afterwards imposed upon the constitutional committee of the Council of the Bell and incorporated in the constitution, where it is to be found, I. 181.

² It can be proved that the podestà interfered with the constitutional committee (*emendatores*) as late as 1230. See Zdekauer, introduction, xix, note 1. At this time such interference was entirely regular, and probably continued without protest on the part of anybody until the above-mentioned time.

³ It is really an addendum to the constitution of 1262, and may therefore belong to one of the years immediately following.

the city, when they were defeated just outside the walls at Montaperti. Here, if ever in the history of Siena, there was occasion for military leadership, and an opportunity for a sovereign of somewhat tarnished luster to revive a decaying prestige. But what do we find? The very name of the podestà of 1260, one Franciscus de Troysio,¹ is hardly preserved in the not unabundant records and chronicles that have come down to us,² and from these same sources we learn that the splendid victory of the Sienese was won under the leadership of the Count Giordano, King Manfred's vicar, and of Aldobrandino Aldobrandeschi, a Ghibelline nobleman of the Sienese sphere of influence. Since the podestà had no direct and visible share in the great triumph of Montaperti, it might be surmised that he made himself felt in other ways, for instance, in the political direction of the state. But this is disproved by the records, which concur to show that the governance of Siena in 1260 was entirely in the hands of the Twenty-four. The pertinence of the occasion for a capable and ambitious executive officer cannot be denied. That the podestà could not seize the convenient tide at the moment of its flood proves that he was moribund, and his decline an ineluctable consequence of the political evolution of Siena.

With legislative powers gone, with military powers sapped and dying, he might have retained a not unworthy position, if he had held fast to the political direction of the state. But this had passed, as the history of Montaperti shows, and as has just been said, to the Twenty-four, the *Signori Ventiquattro*. Already in 1260 they and they alone gave the city its political impulse, and this newly-won hegemony was fortified and secured in a hundred ways in the constitution of 1262. Its most vigorous expression is found in that article³ wherein the Twenty-four are called upon to hold a secret meeting once a month, to determine, practically like a modern ministry, the new measures to be taken before the council for deliberation, and to be put into execution by the state.

Surely, comparing him with what he was in 1240, the podestà in 1262 presented a much-shrunken figure. Of his once ample

¹ This is the form of the name given in the letter of King Manfred, who sent him as podestà. See the letter of Manfred in Paoli, 76. The name has many variants. The chronicler Ventura spells it Troisi (Porri, *Miscellanea Senese*, 1844). *The Cronica Senese* gives the name as Trevizi (Muratori, XV.).

² The most readable of the chronicles on Montaperti are those of Aldobrandino and Ventura, both published by Porri, *Miscellanea Senese*, 1844.

³ Zdekauer, I. 172. Other important advantages gained at about the same time and clinching the domination of the Twenty-four over offices and state are: The Twenty-four watch over the household of the podestà like a special police, and dismiss any member thereof on suspicion (I. 150); they elect the captain of the people (I. 151); there is an appeal to the Twenty-four from the decision of the captain (II. 167).

rights there now remained to him nothing but the judicial functions, by reason of which he presided over certain courts, and a kind of honorary sovereignty, which he exercised as the executive agent of the legislative council and the visible symbol of the city's unity. In the constitution of the year 1262, with its sonorous legal phraseology, he still looms large, but if we look close we find that, though he reigns, he does not govern, being bound about and strait-jacketed with provisions and clauses that leave him hardly room to breathe.

In the famous constitution of 1262, to which the chronological development of our subject has now brought us, and in the light of which I purpose to examine in detail the position of the podestà at that time, Siena possesses a unique document. Constitutions and constitutional fragments of other medieval Tuscan towns there are, which antedate it by a generation and more, but no other constitution of the thirteenth century seems to have been so broadly and intelligently planned, or has come down to us in a more handsome form or in a more perfect state of preservation.¹

From the keen and learned introduction which Zdekauer has prefixed to his publication of the document we learn how it grew gradually to its present bulk; that though it bears the date of 1262, being revised and approved in that year, it contains a nucleus which reaches back to the consular era of the previous century; and that hardly a year had passed since then which had not brought its small and patient increment. The original element, the seed of the constitutional plant, was the *breve*, a kind of summary of the obligations sworn to by the consuls on assuming office; as other offices developed in the young municipality, a *breve* was drawn up for them too; and finally, a fusion of all the *brevia* produced the general constitution on which the podestà, as the thirteenth-century sovereign, took the oath, and which was therefore frequently called by his name. Thus the constitution of 1262 could also be called—for such indeed it was—the *breve* of the podestà of that year. This evolutionary character of the document of 1262 should be kept in mind, and the error guarded against of looking upon the arrangements for the podestà as necessarily or even probably new provisions. There is furnished by many of the articles abundant internal evidence that they go back a hundred years and more. On the other hand, such as they stand, they were binding only upon the particular podestà for whose behoof they were drawn up, and together with the marginal adjuncts made by subse-

¹ Preserved at the Archivio di Stato, Siena—Serie degli Statuti, No. 2—and held in as high regard as the miracle-working relic of a Capuchin monastery.

quent constitutional boards, the annually elected *emendatores*, were in actual force, until, at most, the year 1269. Tuscan constitutions in those days had a tentative and fugitive character, to a degree which invited the scorn and ridicule even of contemporaries,¹ and which to us moderns with our need of social guaranties seems to be nothing less than fury and sacrilege.

The podestà, like all officers of the commune, was elected in the Council of the Bell.² Three members, designated by lot, elected three others, who drew up a list of candidates and submitted it for approval to the council. This system, mixed of lot and election, was planned to secure the state against the intrigues of ambitious politicians. The candidate honored by the first place on the list was thereupon informed by special embassy, and, in case he accepted, had to be in Siena *in festivitate omnium Sanctorum* (November 1). The office was to last a year; the pay, though it might vary with each appointment, was exceedingly liberal. As there was yet no town hall—the present *palazzo pubblico*, one of the most noble public edifices in the world, was begun only toward the end of the century—he was given forty *libræ et non plus* for the rental of a private residence. Here he must dwell with his household (*familiæ*), in which his special legal adviser (*judex*), a master of ceremonies or majordomo (*senescalcus*), and a knightly attendant (*miles*) were prominent figures.

Although expected to be in Siena on the first of November, and sworn in by the podestà shortly after his arrival, his term did not formally begin until January 1. The interval of two months was probably useful in acquainting him with the duties of his office and with the particular local conditions. But once in harness his work was by no means light. He called together the Council of the Bell, presided at its sessions, and was charged with the execution of all constitutional and legislative enactments. He held the honorary presidency of both the civil and the criminal courts, in direct charge respectively of the *judex communis* and the *judex malefactorum*. In these courts the practice was for the judge in charge

¹ See Dante, *Purgatory*, VI. 127–151:

“Fiorenza mia, ben puoi esser contenta
Di questa digression che non ti tocca,
Quante volte del tempo che rimembre
Legge, moneta, officio e costume
Hai tu mutato, e rinnovate membre.”

² The following facts about the podestà are all drawn from *Distinctio I.* of the constitution. The exact reference will be given only where the information furnished by the index is not sufficiently clear.

of the trial to find the verdict, which the podestà then publicly announced, and carried into execution through his special police agents called *balitores*. In case of war he led the host, but this duty, as we have already seen, might also be delegated to the captain.

Very remarkable was the element of suspicion in which he was steeped, and the precautionary measures by which his independent activity was surrounded and checked. The podestà, we have learned, was a foreigner, largely because a foreigner might be supposed to bring an unprejudiced mind to bear upon the local feuds. It was all-important that he favor no section of the city nor any family interest, but remain aloof from and above the local political issues. This idea must have been constantly present in the minds of the constitution-makers. Besides they had to secure the city against any possible attempt of the annual sovereign to possess himself of power permanently. For all these reasons, he was harassed with the most astonishing police regulations. The constitution waxed very solemn on this head. Let his house be open and undefended; let there be no *portonarius* or *custos*. Further, there must be no secret conference at night; in fact, the podestà shall be in his house *post trinam pulsationem campane* (the curfew-bell) and leave it under no conditions except on business of the commune.¹ He must accept no present, for a present might be made to do the service of a bribe. He shall not even go so far as to feast any one in his house, and, of course, to accept an invitation to dine with a townsman was out of the question.² A curious evidence of the jealousy of the three city sections (*terzi*) is furnished by the article³ prescribing that the successive podestà must reside in the *terzi* in rotation, thus favoring all alike; and the climax is reached in the suspicious vigilance that surrounded him and his household, in the measure already noted in another connection,⁴ by virtue of which the Twenty-four could dismiss any one of his *familiares* the moment his attachment to Siena seemed doubtful to them.⁵

The natural conclusion of this rigorous surveillance was the *sindacamentum* — the revision already explained⁶ — terminating his year of sovereignty. He had to pledge himself to stay in Siena eight days after the end of his term, when his administration was

¹ I. 169.

² I. 167: Et non comedan et bibam cum aliquo vel aliquibus civibus Senensibus, nec eos mecum vel ad mensam meam . . . comedere et bibere permittam.

³ I. 211.

⁴ Page 259, note 3.

⁵ I. 150.

⁶ Page 251.

reviewed by the four *provisores* — the regular treasury officials — and every charge of misconduct preferred by any citizen whatsoever was carefully investigated. To give force to this measure, 200 *libræ* of his salary were withheld until the process of audit was closed and the accounts declared satisfactory.¹ A partial mitigation of these hard terms must have lain in the circumstance that the *sindacamentum* was not the podestà's special privilege, but was the common lot of all office-holders.

The podestà proved to have a long life and figured in the constitutional history of Siena for many generations to come. If we found his political direction of the state gone in the year 1262, he was none the less the titular sovereign. It is an evidence of the persistence of legal forms that this titular sovereignty is still conferred upon him half a century later by the constitution which bears the date of 1309-1310, though this document² makes it perfectly clear that the power in the state rests now with another body representing an entirely new experiment in government, to wit, the nine representatives of the merchant class, officially called the *Nove*. A special section (*Distinctio VI.*) in the constitution of 1309-1310 is entirely devoted to their functions. From the Twenty-four in the year 1240 to the *Nove* — the Nine — in 1309-1310, the political power in Siena had frequently changed hands, but in all that time, and especially from the year 1262 on, it cannot be said to have rested with the podestà. Still the old fiction of his supremacy survived in the laws, probably, first, because the Twenty-four, or the Thirty-six, or the Nine, however the successive bodies of control might be called, still had the need of an executive agent; and, secondly, because they found it convenient to conceal their partizan direction behind the knightly person of the podestà, who was surrounded with honors and ceremonies, and kindly consented to stand before the people for the one and undivided character of the state. Nevertheless such a fiction deceived no one, and, to the Sienese, the government of the city was, from the rise of the Twenty-four, with this body and with their successors and not with the podestà.

But yet another reason accounts for the fact that the podestà continued to exist, even when most of his earlier occupations had long been canceled. He had always had an honorary presidency in the two main courts, the civil and the criminal; as the need of an

¹ I. 149, 210, 520.

² The constitution of 1309-1310, in the Italian language, is a translation of the constitution of 1296, which in 1309 was still in vigor and so remained until 1334. The constitution that bears the date of 1309-1310 is therefore really the constitution of the period 1296-1334. It has been published by Lisini, *Il Costituto del Comune di Siena*, 2 vols. (Siena, 1903).

impartial justice was perennial, and as to the minds of that day this impartiality seemed to be best assured by a foreigner, it is only natural that the podestà should have been retained as the supreme judge, and in the period of his decline have become more and more identified with this office. It is as a judge that he plays a rôle to the generations after Montaperti and continues to play to the end of the middle ages. But with the constant reforms going on in the constitution of the courts, reforms due to the increasingly complicated legal relations of men in a developing society, these judicial functions of the podestà could not remain the same from age to age. Comparing the constitution of 1262 with that of 1309-1310, it becomes plain that in the course of half a century the courts have been reorganized, the laws revised and multiplied, and the legal position of the podestà modified in various ways; and this process continued throughout the fourteenth century.

But through this phase, which belongs to the judicial story of Siena, we have no further interest in following this official. We found him a sovereign and traced his gradual decline in that capacity; and there we leave him, stripped of the regalia, but tenaciously holding fast to his judicial honors, with such success, that in one form or another he continued to enjoy them far into a time that, owing to the rapid and continual political metamorphoses of the republic, retained but a confused memory of his early significance.

FERDINAND SCHWILL.

THE MERCHANT ADVENTURERS AT HAMBURG

THE imperial city of Hamburg was for nearly two hundred years the principal seaport on the continent to which the Merchant Adventurers of England traded, the mart-town in which the society stapled the great woolen manufacture of England. The relations between the Adventurers Company and the city were formally established in 1567, and with one important exception continued down to the dissolution of the society at Hamburg in the nineteenth century. During this time the Adventurers frequenting the Hamburg marts were fully organized in accordance with their constitution and charter. At first they formed a local or subsidiary court only, but later, when the religious disturbances in the Netherlands brought about the decline in trade to those parts, and a consequent increase in the Hamburg trade, the general court of the fellowship was also transferred thither. The story of the Merchant Adventurers at Hamburg is therefore of importance, first, because it affords a study of a phase of English commercial life as it worked itself out through the medium of a medieval trading fraternity; second, because it throws much light on the character and organization of the society; and third, because it witnesses the scene of its final dissolution.

The first regular commercial relations based upon mutual agreement between the Company of Merchant Adventurers and the city of Hamburg lasted over a period of ten years, from 1567 to 1577. This part of the society's history has been treated by Dr. Ehrenberg¹ in an exhaustive study which has given rise to considerable discussion.² But the much longer and more important period of the Adventurers' history at Hamburg, which began in 1611 and continued without interruption into the early part of the nineteenth century, has not been treated, except in parts by local historians of Hamburg, especially by that careful student of Hanseatic history, Dr. Lappenberg.

Of the sources that serve as a basis for the present study there are a number that have a peculiar interest. They emanate directly from the Merchant Adventurers themselves and represent a few im-

¹ Ehrenberg, *Hamburg und England im Zeitalter der Königin Elisabeth* (Jena, 1896).

² Compare *Hansische Geschichtsblätter*, 1895; *Transactions of the Royal Historical Society*, XV, 1-51.

portant bits from the long-sought records of the society.¹ First among these is the old Church Book² of the fellowship with entries covering the period from 1617 to 1738, though all entries for dates prior to 1717 are copied from two older registers since lost.³ This is supplemented by two other registers⁴ for the subsequent period down to 1806, the latter concluding with the following graphic entry:

1806. Charles Son of John Thornton Esqre and of Maria Elizabeth Dorothea his wife was privately baptized at Otmanchen in my No. 19. flight from the French who this day took possession of Hamburg. John Knipe.

In general the character of the contents of these three interesting volumes may be inferred from the following entry in Volume II.:

A Register of all who were Baptized or married according to the Rites and Ceremonies of the Church of England, belonging to, or under the protection of the Right Worshipfull the Company of Merchants Adventurers residing in Hamburg.

Besides the church registers there are two bundles of the society's papers in manuscript,⁵ the first containing writs and testaments, fourteen in all, made by persons associated with the court, and varying in date from 1756 to 1802. In it are also found two letters by George Thornton,⁶ from which it appears that the two

¹ The absence of all records of the Merchant Adventurers has given rise to much conjecture and earnest investigation, but with only partial success. Up to a few years ago the valuable collection of laws codified by Wheeler in 1608 and preserved in the British Museum, Addit. MS. 18913, represented the only official records of the society. To these the three church registers of the court at Hamburg, and the half-dozen treasurers' reports will form a valuable addition. For the local fellowship in the different towns, as for example, Hull, Newcastle, York, etc., records exist, although still unpublished except in the case of Newcastle, and very recently of Bristol.

² Church Book, 1617-1738, in manuscript. Hamburger Staatsarchiv, Cl. VIII., No. 9d, Vol. I., "Englisches Kirchenbuch, 1617-1738."

³ Cf. the following entry: "A Perfect Extracte of two former registers of the names of the Communicants of the English Church at Hamborough. Together with the baptismes and marriages Taken the 24 of Apriell 1620 by the Appointment of William Loe Dr. of Divinity and pastor of the said Church."

⁴ Hamburger Staatsarchiv, Cl. VIII., No. 9d, Vols. II. and III. The first entry of the third volume records the marriage of the daughter of "Mr. Governor Blacker." This volume, according to a record on the inner cover, was produced before the High Court of Chancery in England in 1818 for the examination of witnesses in the cause "between The Honorable Alfred Curzon and The Honorable Francis Curzon, Infants, by their next Friend—plaintiffs, . . . and The Honorable and The Reverend David Francis Curzon and others—defendants."

⁵ Hamburger Staatsarchiv, Engl. Court, Cl. VI., No. 2, Vol. 5, Fasc. 1, Invol. 19. The librarian's note on the acquisition and contents of the bundles is as follows: "Am 2 Juni 1876 sind von Herrn Oberstlieutenant A. D. G. Thornton dem Stadtarchive überliefert I. Ein Kirchenbuch der Ehemaligen Englischen Court . . . II. Testamente . . . III. Abrechnungen der Englischen Court über die Jahre. . . ."

⁶ George Thornton was the son of John Thornton, one of the members of the society who remained in Hamburg after the occupation of the city by the French.

bundles of papers and the old Church Book were found among his father's papers and later given by him to the library. The second bundle contains a number of interesting and very valuable annual statements by the treasurers of the company. To these records emanating directly from the society before its dissolution must be added the reports to Secretary Canning by the commission appointed at Hamburg in 1824 to investigate the circumstances of the dissolution of the factory,¹ a number of letters by the surviving members of the society at Hamburg in 1806, extracts from the protocol of the *Rath*, and the contracts between the city and the Adventurers for 1567, 1611, and 1618.

At the time of the first settlement of the Merchant Adventurers at Hamburg in 1567 the once loose organization among English "adventuring merchants" to the coasts of the continent had been gradually transformed into a close and well-organized society, with customs and practices already crystallizing. Woolen cloth in the white constituted the great staple article of their export trade from England, and for two centuries and a half, with only occasional interruptions, the fellowship enjoyed a monopoly of the export of this important manufacture to all points on the continent lying between the Somme in France and the Skaw in Denmark. In the import trade the adventurers enjoyed the fullest freedom, all varieties of goods being imported by them.² The manner and rules of their trade differed materially from the joint-stock companies of the later period, each member trading for himself and at his own risk. The company participation appears not in a joint interest in profit or loss, but rather in the rules of trade that were developed, partly to facilitate the adventures of the members, and partly to regulate the trade justly and fairly. They provided that all shipments by members be made at certain ports, at specified times, that each member observe the stint of shipping, and that the goods be placed for sale only at the quarterly marts — clearly regulations for mutual protection and advantage in times when the foreign trade was both difficult and dangerous.

¹ *Hamburg Complaints, Copies of, and extracts from all correspondence which has taken place since 1823, between His Majesty's Secretary of State for Foreign Affairs and His Majesty's Consul at Hamburg, relative to Grievances complained of by British subjects resident in that city* (Ordered by the House of Commons to be printed, April 20, 1835.) Among the sources unmentioned above is a folio volume of letters in manuscript in the Commerz Bibliothek at Hamburg that should be noted.

² Cf. Wheeler, *A Treatise of Commerce*, 23; *Laws, Customs and Ordinances of the Merchant Adventurers*, "Translations and Reprints," University of Pennsylvania.

To regulate the trade and the life of its members, to represent its interests with governments, princes, and cities, and to promote the trade of the individual adventurer by an effective use of corporate power against opposition and competition in the face of which, single-handed, the trader could not have succeeded at all, the society had developed a strong government. This consisted of a governor, his deputy, and twenty-four assistants, known as the court of assistants. In this court were vested the executive, administrative, and to a large degree the legislative rights and duties of the society. This court or government was located at the mart-town on the continent.¹ All matters pertaining to the fellowship in general were under its direct control. For matters of local interest, and for the government of members resident in the various towns outside the mart-town, subsidiary courts existed. These were known as associate courts, and were in most things subservient to the higher court.²

The occasion for the first settlement of the Adventurers at Hamburg arose from the insecurity of trade in the Netherlands, the dissatisfaction with Spanish rule, and the loss of trade to Hamburg when the English government refused to allow the Hanse to continue the export of woolen cloth. On March 17, 1564, the Senate of the city addressed a writing to Elizabeth expostulating against the prohibition, and offering to the Adventurers the same privileges in the matter of trade as those enjoyed by the burghers.³ After prolonged negotiations, finally accelerated by the intolerance of the Spanish in the Netherlands, which made it well-nigh impossible for the Adventurers to remain longer at Antwerp,⁴ an agreement was reached on July 19, 1567, and the society was granted its first privileges by the city of Hamburg. The grant was for ten years, and it was mutually understood that at the expiration of that period the agreement would be extended.

Owing to the violent opposition of Lübeck and the other Hanse towns, however, the privileges were not renewed in 1577. Instead was issued the Hamburg Decree, expelling the society. In 1587 intercourse was resumed, but again the opposition of the other cities proved too strong. After this the Adventurers' trade to

¹ Cf. *Transactions of the Royal Historical Society*, XV. 29 ff.

² The exception made in 1688 in the case of London, concerning the choice of the deputy and other officers, and the making of rules in matters of trade, should be noted. British Museum, Addit. MS. 18913, fol. 200, printed in "Translations and Reprints," N. S., Vol. II. 195 ff.

³ Record Office State Papers, For. Elizabeth, Vol. 77, fol. 68. Printed by Ehrenberg, *Hamburg und England im Zeitalter der Königin Elizabeth*, appendix, 310.

⁴ Kervyn de Lettenhove, *Histoire de Flandre*, V. 75 et passim.

Germany was for a number of years irregular and erratic, without the control of a well-established residence at a great mart-town. For scarcely did they settle down at any one place before an imperial edict¹ drove them thence. Stade, it is true, furnished a temporary though unsatisfactory residence, from which trade was carried on with Hamburg through factors.² The Adventurers, therefore, looked anxiously for the time when they would again be taken up by the latter city. But not till 1611 was the hostility to the English trader sufficiently broken to make possible a successful resumption of friendly negotiations. On June 28 of that year Hamburg again made overtures to the fellowship. An agreement based on that of 1567 was reached, and the society transferred its residence to Hamburg.³ On the basis of this agreement, slightly modified in favor of their society in 1618, the Merchant Adventurers maintained their chief residence there for well-nigh two centuries. A knowledge of the privileges then obtained is therefore essential to an appreciative study of the later period of the society's history.

The contract of 1618 is drawn up in fifty-one articles,⁴ and it corresponds in general quite closely to the agreements of the earlier dates mentioned above. It is besides very similar to the privileges granted the society at different times in its other mart-towns on the continent, and may therefore serve in a general way as typical, affording an indication of the position of the Adventurers and their residence in the heart of the foreign cities in which they established their staple. How liberal and far-reaching these were will appear from the following brief analysis: By the provisions of this contract with Hamburg the Adventurers were confirmed in their possession, free of taxes, of the large stately house secured to them by the privilege of 1611, the city agreeing to keep

¹ The text of the imperial edict of 1597 is very interesting on broader historical grounds. After reviewing the history of the company's relations to the continent, and the grievances against its monopolistic dealings, it concludes, "Therefore is it that we prohibite, banish out and proscribe all the forenamed English M.M. to wit the whole Company of the M.M. Adventurers, together with their hurtful dealings, trafficks and contractings out of all the holy Empire. . . . Given in our Royale Castell at Praghe, the first day of the month of August, Anno 1597, of our Romish Kingdome the 22 yeere, of Hungarie the 25, and of Bohemia also the 22," etc. Cf. Wheeler's translation in his *Treatise of Commerce*, 80-91.

² The chief mart and residence of the society was still in the Netherlands. In 1587 it had been established at Middleburg.

³ The reasons for the removal to Hamburg and the disadvantages of Stade as a residence are clearly set forth by Mr. John Kendrick. Record Office State Papers, Dom. James I., Vol. 67, No. 80.

⁴ The English text of the contract is given in the Parliamentary Papers, cited above, *Hamburgh Complaints*, Enclosure in No. 8, Appendix F.

the building in "good repair." Within its walls they were given the right to "assemble as often as they pleased, to execute their regulations and laws, administer justice and transact all other business themselves concerning."¹ There also entire freedom of religious worship, and preaching in the English tongue was allowed the company, saving only the reservation that it be done quietly and "without giving any public scandal." The use of the city cemeteries was granted subject to the customary payments, and the Senate engaged itself to see to it that the citizens "demean themselves modestly and peaceably towards the merchants of the company and their servants," and that the ministers refrain from preaching against their religious rights and do not "aspersion or stigmatize them."²

For good government among the Adventurers and in order to avoid "daily complaints," the Senate granted them the right to exercise all the privileges of their charter; of electing a governor or deputy of the company, who was to represent all the other members; to add to him others of their numbers, "either their eldest or others," who with him were to act as a government and court of law for all Englishmen, whether belonging to the company or not, judging and ruling among them according to the provisions of the royal charters to the Adventurers. Only in criminal cases of a serious nature did the city authorities interpose. In all other cases the jurisdiction³ of the court over Englishmen was complete, and to aid the society in the execution of its judgments the officers of the city were placed at the service of the court.⁴ In disputes of a civil nature between Englishmen and others (burghers or aliens), the latter had the option of bringing the case either before the preferred court of the society or before the Senate for trial. In either case, however, the judgment must be accepted as final.⁵ The contract also provided for extra consideration both for the person and goods of the Adventurer. Articles 6 and 16 protected him against all violence or molestation within the jurisdiction of the city, and secured the good services of the city in the society's behalf in case of molestation outside of its limits. Article 15 guaranteed the goods of a member against confiscation in all cases except that of high treason. He was free from arrest, and his goods safe against attachment for debt or civil misdemeanor till he was sentenced, or till the court-master had been warned of the action and an opportunity had been afforded

¹ Article 18.

² Articles 19 and 20.

³ Cf. also *Der Englischen Court-Beamte und deren Jura*, Hamburger Staatsarchiv, Cl. VI., No. 2, Vol. 5, Fasc. 1, Invol. 18.

⁴ Article 7.

⁵ Article 8.

to enter bail.¹ The members, on the other hand, by giving security could exercise the right of arrest and attachment, and the city bound itself not to delay speedy trial and justice.² Stolen goods belonging to members of the company and not yet alienated could be immediately recovered.³ Entire freedom was allowed the merchants to testate according to the forms and customs of England, and the inheritance of such as died intestate was to be delivered to the heirs, solely through the medium of the court-master, without any deduction.⁴

Over and above these substantial considerations in favor of the interests of the society in civil and criminal matters, there were others of even greater material advantage. These related to the tolls or customs-duties upon import and export trade, and secured to the English merchants all the rights enjoyed by the burghers, without involving them in any of the obligations of citizenship. Complete freedom of trade was granted them in all articles of trade excepting only those expressly prohibited in the agreement, in which the citizens also were not allowed to trade. The trade and exchange of commodities within the city was likewise free to the members of the society. They "shall be at liberty to sell their cloth, wares and goods whenever they please, and at any time or day (holy days excepted) as well to our citizens and inhabitants as to other aliens and outlanders of whatever people or nation they may be, and to treat in return with them for commodities they may have brought hither for sale, and consequently carry on an open trade without any difference whatsoever."⁵ A special clause of the agreement, however, limited the trading of the Adventurers in cloth entirely to the wholesale trade.⁶ Only among themselves were they at liberty to sell at retail and in small quantities. Article 24 continued the old provision of 1567 concerning the dyeing and dressing of cloth by the society. It provided that cloth was to be prepared by the members only "in such manner as is done in Frankfurth and Upper Germany." Cloth thus prepared could not be sold to aliens at Hamburg, but must be transported directly to upper Germany, Leipzig, or Frankfort. Cloth already dyed and dressed in England might be freely sold at Hamburg, and unfinished English kerseys could even be dyed and dressed there.

Detailed rules are laid down in regard to trading, commission, loading and unloading, salvage, wages, and the employment of servants, measurers, packers, porters, etc. The city engages itself

¹ Article 13.

² Article 17.

³ Article 23.

⁴ Article 12.

⁵ Article 36.

⁶ Article 25.

to do all in its power to aid the society in suppressing interlopers, and the Adventurers promise to use their influence in procuring a law "from his Britannic Majesty that no Englishman shall land any goods in any other port or on any other shore of the Elbe."¹ The company and every member thereof is exempt from ground-rent, wharfage, anchorage, or crantage.² The city undertakes to provide a sufficient number of barges, etc., and to delegate a deputation of citizens who shall endeavor to rent for the fellowship, on as moderate terms as possible, houses, inns, workshops, cellars, and warehouses. The proconsuls and senators also engaged themselves to call together the officers of the port once a year to instruct them concerning the privileges of the society.³

In addition to these exceptional advantages in trade and civil standing is another quite as important, namely, the exemption from mounting guard and garrisoning and "from all contributions for that purpose, as well as from all other civil imposts, whether real or personal, and from all other burthens and taxes,"⁴ etc.

On the basis of these remarkably favorable privileges, conferring upon them greater rights than those enjoyed even by the burghers, while at the same time relieving them of the burdens of citizenship, the Adventurers easily succeeded in arrogating to themselves complete control of the commerce between England and Hamburg. The special provision added as Article 44 to the agreement in 1618, prohibiting "citizens, inhabitants or foreigners resident here [Hamburg] or in England" from bringing from or sending to England any goods belonging to merchants of the company or to any other Englishmen, reveals the great advantage enjoyed by the Adventurers over all possible foreign rivals. Indeed the only trade with England open to the burgher and the alien was in "goods not belonging to the Company nor to Englishmen." Such restrictions must have been prohibitive, so far as their effect upon actual commerce was concerned.

Add to these advantages at Hamburg the monopoly rights secured to the Adventurers by their charters from the English Crown, and the basis for their large trade and the great wealth of the society's members⁵ becomes apparent at once. For the Hamburg residence still another circumstance contributed materially to increase its importance. The disintegration of the English trade to

¹ Article 43.

² Articles 32 and 33.

³ Article 46.

⁴ Article 21.

⁵ Too great a corporate organization must not be attributed to the Merchant Adventurers Company in matters of trade, wealth, etc. The society's wealth and influence depended entirely upon the individual members and the extent to which these contributed to its maintenance and to the carrying on of its policy and its interests.

commercial centers in the Netherlands, arising from the dangerous and unsettled conditions consequent upon the numerous wars, served to deflect the commerce of the North Sea more and more to Hamburg, that is, into the hands of the Adventurers.

What were the exact proportions of the trade with Hamburg during this period it is difficult to determine. The most satisfactory source would again be the private records of the society, especially the registers and the appointer's books. In the absence of these, the insufficient and complicated material in the shippers' lists, etc., of the port of Hamburg must serve as a starting-point. These, and other material of the same nature, Dr. Baasch,¹ and for the early period Dr. Ehrenberg,² have both worked over with much scholarly care, but unfortunately the data concerning the Merchant Adventurers' trade is very inadequate. The very fact that the members of the society were exempt from the usual customs and tolls makes the entries concerning them comparatively meager. Indeed, all through the records of the city of Hamburg relating to commerce the society figures but little. In the minutes of the *Commerz Deputation*, which body was virtually in charge of matters of trade, the society's affairs come up for discussion only a few times during the eighteenth century. The society's commercial relations, as well as its civic relations to the city and the burghers, were clearly specified by the contract, and all its dealings were therefore with the Senate rather than with the Chamber of Commerce.

An account of the trade of the Adventurers at Hamburg, even so far as it would be possible with the data, is beyond the limits of this paper. But it should be noted that in addition to the regular staple and exchange of commodities at the quarterly marts in Hamburg, there was a well-established transit trade: the Adventurers were frequent attendants at the marts in the cities of upper Germany. A writer on Hamburg of the period says, "great quantities of all kinds of British goods go from hence to the different fairs, which are held three times every year at Frankfort on the Main, — Frankfort on the Oder, — Leipsic and Brunswic, — they are subject to a small duty on entering the town."³

¹ Baasch, *Forschungen zur Hamburgischen Handelsgeschichte*, (Hamburg, 1902) 89. Cf. also Baasch, *Zur Geschichte des Ehrbaren Kaufmanns in Hamburg*, Hamb. Geschichts Verein, 1899. Dr. Baasch considers the probability of finding statistics on the trade of the society outside of its own records very slight. The exemption from the convoy duties paid by others shuts off what would otherwise be an excellent source. The records of the port of London should prove a fruitful source for the student of this phase of the society's history.

² Ehrenberg, *Hamburg und England im Zeitalter der Königin Elisabeth*.

³ *A Sketch of Hamburg, etc., by an English Resident* (Hamburg, 1801), 92. Cf. also Article 24 of the contract of 1618.

The center about which the life and activities of the Adventurers Society at Hamburg moved during the entire period of their residence there was the well-known "English House"¹ on the Alte Gröningerstrasse, near the heart of the old city, in the immediate vicinity of the Grimm, from which the English-Holland post left regularly on Tuesdays and Fridays. The large building with its fine façade² (No. 42, Gröningerstrasse) had been built in 1418 by the "Raths Familie von Zeven." It occupied the whole length of the Neue Gröningerstrasse, extending back the entire block to the Katherinenstrasse. A passageway through the house, much frequented, joined this street to the Alte Gröningerstrasse. In 1570 the *Rath* bought the house for 10,500 marks and handed it over, free of charge, to the society. This spacious building, with its extensive premises, the large halls, many smaller apartments, and numbers of adjoining buildings suitable for pack-houses, was admirably adapted to the needs of the society. In the middle of the building on the ground floor was a large hall, which served as the court-room, not of the Hamburg residence only; but of the entire fellowship, adventurers from London, Newcastle, York, Hull, etc., being either there in person during the martly sessions of the court, or else represented by factors³; after the date of the removal of the chief court to Hamburg from Holland⁴ all questions of moment concerning the general affairs and policy of the society were discussed and settled by the Hamburg court. The society's relation to the politics and trade of England, the policy to be pursued toward the Empire and the Hanseatic League, the rules and government of trade, as well as the special relations with the city of Hamburg, and the government of its members—these were all matters that occupied the sessions of the court in the "English House." Not infrequently, especially during the years of civil war and dissension

¹ Many interesting facts concerning the house are found in the papers of the Hamburger Staatsarchiv, Cl. VI., No. 2, Vol. 5, Fasc. 1, Invol. 14, 15. On the basis of this material Professor H. Hitzgrath contributed a short article on "Das Englische Haus in der Gröningerstrasse und der Boshof an der Englischen Planke" in the *Hamburger Correspondent*, 1901, Nos. 460, 461, and 464.

² Burgon in his *Life and Times of Sir Thomas Gresham*, opposite p. 321, gives a picture of the English House at Hamburg.

³ *Laws, Customs and Ordinances*, Chap. 8, fol. 155, "Translations and Reprints," N. S. II. 179 ff.

⁴ I have not come upon the exact date when the fellowship transferred the "high court" to the residence at Hamburg. As late as 1601, when Wheeler wrote his *Treatise of Commerce*, it was still at Middleburg. It is altogether probable that the removal of the Holland residence from Middleburg to Delft in 1621 marks the decline of the Dutch residence to the subservient position of a "court of associates."

in England, the court experienced stormy days.¹ In 1649 a successful attempt was made by a number of Stuart sympathizers to spirit away the court-master, Mr. Isaac Lee, and several others of the company. They were rescued off Heligoland, only after a vigorous fight, by other members of the society and some twenty soldiers hurriedly put aboard a vessel for the chase.²

On the second floor of the house, to the front, was the beautifully decorated chapel, sometimes called the "English Church," which served till 1806 as the only place in the city where services were held in English.³ The free exercise of their religion was, however, granted very reluctantly by the Senate, for on the occasion of their first settlement in Hamburg the Adventurers were enjoined under penalties against practicing the religious rites of the church.⁴ They were to partake of the sacrament according to the Lutheran fashion

¹ The residences of the Adventurers at Hamburg and Rotterdam respectively reflect in an interesting way the great struggle between the two opposing political forces at home. Long before the Civil War really began, strenuous efforts were made by both parties to secure the control of the society. Cf. the numerous entries in *Calendar of State Papers* for this period. The popular cause was successful, the irregular levies upon commerce by the first two Stuarts not being likely to secure for them the patriotic support of the Adventurers.

² The staunch support by the Adventurers of the cause of Parliament made the residences at Hamburg and Rotterdam the object of repeated attacks on the part of the Royalist agents. The details of the affair alluded to above and the events leading up to it are found in the Record Office, Hamburg Correspondence, For. 1649-1650. A spirited account is also found in Janibal's *Hamburgische Chronik*.

³ After the dissolution of the residence, the English in Hamburg remained without a suitable place of worship till the erection of the present English church. Cf. *Hamburg Complaints*, Enclosure in No. 2. The following reference is not without interest: "There is also an English Chapple near the Exchange, where an English clergyman preaches every Sunday, but it is not greatly frequented; the english on a sunday more commonly congregating in Reinvilles' gardens on the banks of the Elbe about two miles distant from Hamburg," *Sketch by an English Resident*, II. Another side appears in the following extract from a letter from Emanuel Mathias from Hamburg in July, 1757: "Her Royal Highness the princess Hereditary of Hesse-Cassel was last Sunday at the English Chapel, and heard the service performed by the Rev. Mr. Murray, Chaplain to the Factory; and in order to prevent any disturbance which be made on account of the great numbers of persons which gathered together for to see Her Royal Highness, a guard of six grenadiers was readily granted upon the application of the Deputy Governor of the Company and myself. . . ." Record Office State Papers, For. 1757, No. 71.

⁴ Article 14 of the contract of 1567, in Kervyn de Lettenhove, VI. 20, cites a memorial of the English at Hamburg to the home government, in which they complain of the lack of toleration and of the hostility of the Hamburg clergy: "The pastors here hate all religions save their own." On the occasion of the death of one of them during the company's first residence at Hamburg great difficulty was experienced to procure a suitable burial. The person whose death is meant, Ehrenberg suggests, was Sir Richard Clough, first governor of the fellowship at Hamburg, concerning which Clough's compatriot writes: "At Antwerp, for a time He liv'd renown'd; but ah, in Hambro' (The North country, alas that he went there!) How was the object of our love, our head, Our Forest's pride and ornament, cut down!", Burgon, *Life and Times of Sir Thomas Gresham*, II. 368.

or else abstain altogether. They were under no consideration to disturb the teachings of the Lutheran church, or attempt in any manner to spread the doctrine of Calvin or Zwingli concerning the Last Supper, or attempt any other religious innovation. Nevertheless liberty of conscience was allowed them, and they might or might not attend the Lutheran church as they saw fit.¹ These restrictions were gradually waived in practice, and in the later privileges entire freedom of worship within the House was granted the society.² During the middle period of the seventeenth century the organization of the church was apparently Presbyterian, with elders and a consistory.³ Later the form of worship became again that of the Church of England.⁴

Other parts of the English House consisted of "the houses for the governor, secretary, the housekeeper and beadle,"⁵ the chaplain, the rooms for the common tables,⁶ and the free hosts' booth for the sale to Adventurers of English beer and ale, which the society could import free of duty. Of the good cheer of the society's host there is abundant evidence. In 1674 Greflinger writes in his account of Hamburg: "Nun bin ich fast müde. Wir wollen zurück nach dem Englischen Hause da die Englische Court ist, und hier durch noch dem Wein Keller, dasselbst zuvor einen Kühlen Trunk vom Englischen Bier zu uns nehmen, und darauf in des Rath's Wein Keller."⁷

The position of the society at Hamburg was very much that of a

¹Cf. Article 14 of the contract of 1567. The privileges are reprinted from a Latin copy in the Lübecker Staatsarchiv, Anglicana, IV. a, by Ehrenberg, *Hamburg und England*, appendix 2.

²Cf. Article 19 of the privileges of 1618.

³Fernow, *Hamburg und England im ersten Jahre der Englischen Republik* (Hamburg, 1897), 10, note 2. In 1650 Cromwell's son-in-law, Bradshaw, who was for some years deputy at Hamburg wrote, "here be some could wish those formalities were laid aside and the power of godliness more pressed," *Sixth Report of the Hist. MSS. Comm.*, appendix, 433. Some interesting facts over a disputed election of deacons and elders at Delft are found in Br. Mus. Addit. MS. 6394, folio 48.

⁴Compare "Englisches Kirchenbuch," No. 2 and No. 3 described above, page 266.

⁵*Hamburg Complaints*, etc., 9; also the following in Otto Sperling's *Chronik* for January 26, 1688: "Der Courtmaster im Englischen Hause, der die ganze hiesige Englische Nation regiert, ihren Sachen vorsteht, sie in ihren differenzen richtet und vergleicht, und ein gross Salair bekommen." In a volume of 1712 entitled *Jetzt Belebtes Hamburg* is given a list of members of the "Englische Societät," in which is the following: "Rave Emmerson, Englischer Prediger wohnet im Englischen Hause." The court-master, William Foxley, on the contrary, "Wohnet in der Catherinen Strasse."

⁶According to John Taylor's account in 1616 all the unmarried members of the society had their meals in the House. Cf. also "Translations and Reprints," Penna. N. S. II. 98, "the tables generallye."

⁷Georg Greflinger's *Hamburgisches Reisehandbuch und Beschreibungen von Hamburg im Jahre 1674*. Cf. *Zeitschrift des Vereins für Hamb. Geschichte*, IX. 137.

"State within a State," and their independent and exclusive attitude made the Adventurers the object of envy and dislike to numerous classes of citizens. During the first sojourn of the society at Hamburg religious differences were, as we have seen, added to others more commercial in character. For the Hamburgers did not at any time look upon the presence of the English as entirely advantageous to themselves, even from the standpoint of the city's economic interests. That there were substantial material advantages is undoubted; the customs revenues increased, many industries and interests connected with the English cloth-trade flourished; prices, rents, and the value of real estate rose with the concourse of other foreigners attracted by the English trade.¹ But over against these were the discriminating monopoly rights of the fellowship, destructive to all competition in the trade with England; the crippling of the city's cloth industry, then in its infancy; and the haughty, overbearing attitude of the English merchant. He is described as "herrische," "anmassend," and "stolz" — characteristics well calculated to arouse the dislike of the Hamburg traders, especially when the antipathy thus aroused was further emphasized by an unfriendly policy on the part of the English government.²

Complaints against the company were numerous, sometimes even threatening to bring about the abrogation of the privileges. In 1674 this hostility found expression in the "Windischgräzer Recess," the thirty-fourth article³ specifying that the Senate take steps to dissolve the contract with the English court, and regulate the "Nation" in such manner as to prevent the English from depriving the native merchant of his trade and livelihood. Nothing came of these demands, and the society continued its activities, securely entrenched behind the rights secured it by its contract.⁴

Nor does there happen to have been any serious design on the part of the Senate to set the contract aside; its terms were faithfully respected by the city despite the occasional attacks upon the society. Indeed throughout the entire period of its residence at Hamburg the society received courteous and often remarkably

¹ Ehrenberg, *Hamburg und England*, 125 ff.

² Reichard, *Die maritime Politik der Habsburger im 17^{ten} Jahrhundert* (Berlin, 1867), 58 *et passim*.

³ Hamburger Staatsarchiv, Engl. Court, Cl. VI., No. 2, Vol. 5, Fasc. 1, Invol. 1c.

⁴ The independent attitude of the Adventurers in regard to complaints by the burghers appears frequently. On one occasion when they were accused of selling woolen cloths at retail and of serving wine and beer to others than themselves, the court replied that it alone had jurisdiction over its members in civil matters, and if any of them had done anything worthy of punishment, the society was ready to proceed against them, as it had done on former occasions. *Ibid.*, Invol. 1d. Also *Extractus Protocolli Senatus Hamburgensis, Martis, d. 17, 1674*.

favorable treatment at the hands of the Senate. The court-master was the guest of the city on public occasions. At the famous Matthiä-Mahl he always occupied the place of honor next the Dutch ambassador, the only guest above them being the imperial resident at Hamburg.¹ He was always addressed as "Herr," and waited upon and congratulated by a deputation from the Senate on taking office. On the occasion of the Matthiä-Mahl alluded to above, it was the duty of the youngest senator to call for the governor in a state carriage. Twice a year he was substantially remembered by the Senate with gifts of wine and beer.² On the other hand, the Hamburgers were most careful to guard against further concessions to the English. In 1696 the request of the court to be admitted into the *Commerz Deputation*, or at least to participate in its meetings when matters of interest to the society were being discussed, met with a firm refusal, notwithstanding the fact that many non-burghers were admitted.³ Nor would the conditions of the eighteenth century have justified any other course. During that period the society gradually declined⁴ till it had lost nearly all those features upon which the original grant of privileges had been made, and it is matter of surprise that the Senate did not insist on the dissolution of the agreement long before the combination of circumstances growing out of the French wars left them no other choice.

This change is strikingly apparent in the decline of the character of the society's membership. In the seventeenth century the Adventurers were a numerous, experienced, wealthy, and influential body of merchants,⁵ the foremost men of England's commerce, and in many instances leaders in her political life as well.

¹ Cf. Otto Beneke, *Hamburgische Geschichten und Denkwürdigkeiten* (Hamburg, 1856), 330.

² In the extracts "Aus alten Commerz Notizen" for 1725, *Hamburger Staatsarchiv*, Cl. VI., No. 2, Vol. V., Fasc. 1, Invol. 10, occurs the following: "Was der Englische Courtmeister alle Jahr von der Stadt bekommt. Auf den 20 April, 40 Stübchen Wein. 2 Tonnen Hamburg Bier. 1 Grossen Stour. Auf den 28 Juny, 40 Stübchen Rhein Wein. 2 Tonnen Hamburg Bier. 1 Lachs. Welches der Schenk im presentirt."

³ Baasch, *Zur Geschichte des Ehrbaren Kaufmanns in Hamburg*, 33.

⁴ This appears in many ways. Of interest is the society's own statement in 1729. In that year the *Commerz Deputation* brought it about that the Adventurers were asked to pay the "Auktions-Aufgabe," a small assessment for the maintenance of the poor. The society expressed its willingness, but on the condition that the proceeds thus arising should be paid to their own poor, "since they too had many poor people of their nation then, and the court was no longer as strong as it had once been (Massen sie auch viele arme leute unter ihrer Nation hätten, und die Court jetzo so stark nicht mehr wäre als dieselbe vorhin gewesen)." *Hamburger Staatsarchiv*, Engl. Court, Cl. VI., No. 2, Vol. 5, Fasc. 1, Invol. 7; also Baasch, *Forschungen zur Hamburgischen Handelsgeschichte*, III. 82.

⁵ Wheeler, *A Treatise of Commerce*, 19, 57. Cf. also *Transactions of the Royal Historical Society*, XV. 18 ff.

In the mart seasons these merchants, or their factors, were present in the staple town on the continent, and since Hamburg became early in the century the great emporium of the Adventurers' trade, the residence there was remarkable both for the extensive interests represented and for the character of the merchants themselves. But with the overthrow, by the Statute of 1688, of the society's exclusive right to export the great woolen manufacture, the Adventurers gradually found their trade disintegrating and much of it falling into other hands. The woolen cloth export being thrown open to all who wished to participate, and the compulsion to ship only to the mart-town or towns of the fellowship also being removed, the reason for joining the society and trading under its direction and protection no longer remained.

As a consequence the membership declined; new members are infrequent, and for most of the eighteenth century the number of members of the society residing in Hamburg is about the same year after year.¹ Only eighty-one members in all appear for the entire period from 1722 to 1806. But what is even more significant is the fact that certain family names occur very frequently; six of these account for twenty-seven out of the eighty-one names. Membership in the court seems to have become very much a matter of family, the additions to it being usually from among those entitled to the freedom by their father's right, that is, by patrimony. Admission through the long and arduous term of seven-year apprenticeship or even by the easier though more expensive way of paying the £200 demanded in the seventeenth century was apparently no longer the rule.² Honorary membership was still customary. Diplomatic agents and plenipotentiaries at Hamburg continued according to old custom to be received into the fellowship. In 1757 Philip Stanhope writes to the government, "I have lately been received with the accustomed forms an Honorary member of the Society of Merchants Adventurers here." As late as 1805 Sir Edward Thornton, minister to Lower Saxony and the Hanse towns, in a letter to Lord Mulgrave speaks of the deputation from the society to congratulate him on the occasion of his appointment and

¹ The following table by decades shows an average membership of less than twenty for the eighteenth century: — Adventurers resident in Hamburg: 1722, 20; 1732, 18; 1742, 18; 1752, 19; 1762, 18; 1772, 20; 1782, 18; 1792, 21; 1802, 17; 1806, 15. A complete list of the members of the society for this period can be worked out from the *Church Registers*, the *Hamburger Staats Kalendar*, and *Jetzt Belebtes Hamburg*. In the century before it was considerably larger. In Thurloe, *State Papers*, IV. 766, is a statement of the vote on the question of Richard Bradshaw and the deputyship, in which fifteen voted for and twenty against Bradshaw, thirty-five being present to vote.

² For the regulations governing admission to the fellowship see *The Lawes, Customes and Ordinances*, Chap. II., "Translations and Reprints," N. S. II. 34-52.

arrival, and to offer him "the freedom of their Society," which, he goes on to say, "is to be presented to me on the 29th of this month."¹ In former years the ambassador at the mart-town was usually an active member of the society, often its governor, and in that case played a very important rôle in its affairs. Among the governors² of the later period there are no men of this position.

The list for the eighteenth century contains no names corresponding to those of the earlier years when Caxton, Gresham, Clough, Bradshaw, Packe, etc., were the guiding spirits of the society. The court-master at Hamburg for this period is spoken of as deputy, not as governor—a fact of some significance for the question of the relative position of the Hamburg court for the late period. Indeed there seems to be every reason to look upon this court in a sort of twofold capacity: first, as the court of those English merchants who were members of the society residing in Hamburg, that is, a court of associates; second, as the general court of the fellowship, or court of assistants, which would meet on the occasion of the marts, and would naturally be composed of the adventurers attending the mart, regardless of their permanent residence. During the late period of the Adventurers' history, the governor of the fellowship was usually not resident abroad.

Among the chaplains³ of the court for the early seventeenth century was Thomas Young, the friend and tutor of Milton. Of the secretaries a number of persons are worthy of note. Belonging to the time a little later than Young was Samuel Misselden, the well-known writer on matters of trade for this period. Another interesting figure occupying this post was the German patriotic poet and writer, Frederick Hagedorn, secretary from 1733 to 1754, receiving for his services, his biographer tells us, a salary of £100 per annum and free lodging. The last secretary was John Coleman (1793–1807), who was also secretary to the English embassy. The names of the other servants of the residence, with a number of interesting facts as to salaries, appear in the copies of the treasurer's statements preserved in the Hamburg city library. In the report for 1793–1794, besides the chaplain and secretary, with salaries respectively of £200 and 1,200 marks, there are the beadle with salary of 600 marks, the organist with 400, the huntsman with 60,

¹ Record Office State Papers, For. Hamburg No. 28, letter of June 4, 1805.

² Hamburger Staatsarchiv, Engl. Court, Cl. VI., No. 2, Vol. 5, Fasc. 1, Invol. 2; the Church Books and the *Staats Kalender*.

³ An interesting paper entitled "Die Capellane der Englischen Court" appeared in the *Zeitschrift des Vereins für Hamburgische Geschichte*, II. 649. Cf. also Lappen-berg, *ibid.*, I. 311.

and the bellows-treader with 30 marks.¹ The salaries of the secretary and the chaplain seem to vary, the treasurer's statement made in December, 1800, debiting the former with £300 and the latter with 1,800 marks for the previous twelvemonth.

But apart altogether from these incidental facts, the treasurer's reports contain material that reveals much more of the real status of the company at that time. For a thorough analysis of any one of these this brief study would afford inadequate space. The report covering the Sinxon and Balm Marts, 1804, and the Cold and Pasche Marts, 1805,² briefly summarized, gives the following debit items: Balance from the account of Mr. John Blacker, passed treasurer, 22,035.5 marks; impositions and fees, 14,740.7 marks; bequest money, 84,402.8 marks; and interest, 5,619.7 marks; total, 126,797.11 marks. The credit items are stipends, pensions, and fees, 11,130.8 marks; charges ordinary and extraordinary, 8,145.13 marks; bequest money, 69,965 marks; balance to be paid to the Worshipful Mr. Wm. Alexr. Burrowes, p. t. treasurer, 37,556.6 marks; total, 126,797.11 marks.

The report is made by John Thornton and properly certified to by the four auditors of the fellowship. Among the "charges ordinary and extraordinary" are a number of items of interest. The rent and fees of the bowling-green are 332 marks, repairs 4,413.7½ marks, and a dinner given there 1,340 marks, on which occasion the expense of 130 marks for "drummers and trumpeters" was probably also incurred. To the student of the Merchant Adventurers, however, the remarkable entry of the report is that for "William Agar, Secretary at York, a year's salary, £10." This would point to a relationship between the court at York and the court at Hamburg for a period hitherto quite unsuspected. The entry is of further importance because of the suggestion it offers in regard to records of the society at York, as also of the probability of the continuance at that place of the local organization even after the dissolution at Hamburg. A more general survey of the report reveals a marked change from the earlier commercial and political activities of the society. The absence of all indications of extensive business operations on the one hand, and the presence of numerous entries pertaining to the church and to the bowling-green on the other, serve to emphasize how changed in character the society had become since the days when large sums were expended on pleni-

¹ Hamburger Staatsarchiv, Engl. Court, Cl. VI., No. 2, Vol. V., Fasc. 1, Invol. 19. That there were numerous other servants of the society, especially for the earlier period, appears constantly. Others mentioned in a document in the Hamburg library are the court-tailor, matron, brokers, and packers. *Ibid.*, Invol. 2.

² *Ibid.*, Invol. 19.

potentiaries to the Diet of the Empire, on the reception and entertainment of guests of high standing, or contributed toward the expenses of "the Royal Navy" and "The Army in Scotland."¹

But a more active agency in the overthrow of the society at Hamburg than its own internal decay made its appearance in the latter half of the eighteenth century. Ignorant of the true state of the English company and of its affairs, and judging it chiefly by the prestige which still remained from its former greatness, the French frequently endeavored to induce the Hamburg Senate to proceed against the English society. The Senate was importuned to grant the establishment of a French company "with the same privileges as those so long enjoyed by the British Society of Merchants."² The instructions to the French agent from his government in regard to the embargo on the commerce of the Elbe in 1761 declare, "the establishing of such a company, the court of France has had in view for a long time, and for which purposes it has caused proposals to be submitted by the late M. Poussin and to be continued although without success by M. de Champeaux."³

But though the Senate could resist the diplomatic encroachments of the French government in the eighteenth century, it was soon to find itself powerless to withstand the imperative orders of Napoleon. While he was formulating for himself the plans for the destruction of British commerce, Napoleon naturally remembered the intimate relations between Hamburg and England. He believed that there were great numbers of Englishmen⁴ resident at Hamburg, and he looked upon the city as the ally of the enemy.⁵ It was therefore to be expected that he would give special attention to Hamburg. On November 19, 1806, Marshal Mortier with a body of six thousand French troops occupied the city in the name of the Emperor, and in accordance with detailed and definite instructions⁶ from Napoleon he proceeded at once against English

¹ Here again it should be remembered that some of these matters, as for example the heavy loans to the government, in all probability would not always find their way into the financial statement of the society's treasurer, since they frequently concern the Adventurers as individuals and not the company in its corporate capacity. For the relations of the Adventurers to the finances of the government see the index to the *Calendar of State Papers* for the reign of Elizabeth and the first half of the subsequent century.

² Letter from Lord Bute in answer to Mr. Mathias, July 28, 1761. Record Office State Papers, For. 1761, No. 74.

³ *Ibid.*

⁴ *Hamburg Complaints*, Enclosure in No. 8, Appendix G. Cf. also Hitzigtrath, *Hamburg und die Kontinental Sperre* (Hamburg, 1900).

⁵ In the order by the French to value and confiscate all goods at the Leipzig October "Messe" in 1806, the chief motive ascribed for the act is the fact that Leipzig was well known as one of the principal emporiums for English wares, and therefore a dangerous enemy of France. *Correspondance de Napoléon 1^{er}*, XIV. 17.

⁶ *Ibid.*, XIII. 542.

commercial interests. At his express command the Senate on November 21 published an order that all British goods should be seized; that all bankers and merchants in the possession of moneys or goods derived from English manufactures, regardless of whether they were the property of Englishmen or not, declare such in writing within twenty-four hours. To insure honest declaration a house-to-house search and military execution was threatened. Six days later, November 27, the Senate published the Berlin Decree with a number of interesting articles of its own providing for the carrying out of the decree.¹

The third article of the order decreed the arrest as prisoners of war of all Englishmen: "Every individual who is an English subject, of whatsoever state or condition he may be, who shall be found by our troops or the troops of our allies in the countries occupied by us, shall be made a prisoner of war."

Following immediately on the publication of the order of November 21,

"the houses of the different members were surrounded by military force. Several officers entered the same, sealed the offices as well as the warehouses, placed sentinels before them and brought away the following members: Mr. Governor Blacker, Mr. John Blacker, Mr. John Thornton, Mr. George Smith, Mr. W. A. Burrowes and Mr. Secretary Coleman, conveying them on foot, under military escort, to the chief of staff, General Gaudino, who, after having identified their persons, informed them that by order of the Emperor, they were prisoners of war and as such they might expect shortly to be transported to Verdun."² The prisoners pro-

¹ The proclamation of the Berlin Decree with the articles appended by the Senate affords an admirable illustration of the manner in which the Continental System was introduced throughout the continent. The following is the form in which it was interpreted and given to the Hamburgers by the Senate: "PUBLICANDUM. — In pursuance of a note received by the states of Lower Saxony from his Excellency the Imperial French ambassador, the venerable and esteemed Senate is moved to make known through the present proclamation to the public for its information and observance the dispositions of the Imperial Decree of November 21 of this present year." Then follow the eleven points of the Decree declaring the British Isles in a state of blockade, etc. Signed by Napoleon.

Appended to it is the following order by the Senate, dated Hamburg, November 27, 1806: "In pursuance of the above-mentioned regulations and order, the right worthy Rath orders as follows: 1. All burghers and inhabitants of this city must, within the space of forty-eight hours, make an accurate report of all colonial wares emanating from English colonies or belonging to Englishmen or to subjects of England. 2. All correspondence with England ceases entirely. 3. No Englishman will be permitted to come to Hamburg or to remain in Hamburg. 4. No English post and no English will be permitted to come to Hamburg or to pass in transit. 5. No vessel coming from England or having entered there shall be permitted to enter the harbor at Hamburg.

The reports ordered in the first article are to be made to the 'Herrn Inspecteur aux revues Brémond (Gröninger-Strasse, No. 66).'"

² The consul, Sir Edward Thornton, together with the majority of the English, had taken the precaution to leave before the arrival of the French. Cf. the entry of the Church Register, cited above, page 266.

³ Napoleon's intention to make Verdun a sort of camp for Englishmen captured on the continent is well known.

tested, representing that they were under the immediate protection of the city and entitled by agreement to the same rights as the burghers, but all to no purpose. On the 22nd they were allowed to return to their homes on giving their word of honor to remain within the city and appear when called for. Each member however, was given a special guard who kept a strict watch over all his actions, "a measure of precaution as oppressive as it was humiliating to men of honour."¹

They were ordered to complete the inventory and declaration of their goods. An official statement was transmitted to the Senate in which the whole was valued at 420,000 marks banco — £ 35,000 sterling.

In the meantime they appealed to the Senate, by whom Syndic Van Sienen was appointed a special representative to confer with the Adventurers. But before anything was done for them, the situation suddenly took a turn for the worse. General Mortier had left the city, and on December 7 his successor, General Laval, transmitted to the prisoners an order to set off on the ninth for Verdun, under military escort. Desperate efforts were made to avert this necessity. A delay in the execution of the order till the fourteenth was secured through the good offices of the French Minister, Bourrienne,¹ who finally informed them "under his personal responsibility" that they might ignore the written order to depart for Verbidun, and defer their journey until further orders. They were also relieved of the inconvenience of being constantly attended by a guard, and at Bourrienne's suggestion applied to the Senate, "requesting them to guarantee the value of the goods contained in the warehouses belonging to the Factory" in order to induce the French authorities to remove the seals. The request was made, but the Senate was not at all anxious to grant the security. When the guaranty was finally furnished and the seals taken off the warehouses, the members were called before a committee of the Senate and obliged not only to promise to keep their goods at the disposal of the Senate as a security for the sum guaranteed, but also to furnish additional security in case the sequestered goods should prove deficient in value.

During the three months that followed the members were left in comparative tranquility. They were allowed to open their warehouses and dispose of all goods "not proved to be of English manufacture, or produce of their colonies." About the middle of

¹ Narrative of Proceedings against the Company of Merchant Adventurers of England residing in Hamburg, in consequence of the occupation of that city by the French Troops, in the year 1806. *Hamburg Complaints*, Enclosure in No. 8, appendix G.

² An article is announced by the editors of the *Revue Historique* for the November-December number on "Le rôle de Bourrienne à Hambourg," by G. Servières.

July, however, Bernadotte, Prince of Ponte Corvo, succeeded to the command at Hamburg. On August 13 the members were asked by the French commissary, M. Ricard, for facts concerning, not merely the relation of the French authorities to the factory during the occupation, but also "the most material points of connexion existing between the Factory and the town." The information was promptly furnished, and all apprehension was allayed by the assurances of M. Ricard. They were greatly surprised, therefore, when on August 20, "late at night," they received an official letter from M. Ricard stating that by order of the Emperor and in conformity with the intentions of Bernadotte the members were immediately to give up the title of a British factory and break off every commercial communication or connection that might subsist amongst them; that they were to give a decisive reply, in the course of twenty-four hours; make an early application to the Senate, declaring their renunciation of the title and privileges of a British factory; and request from the Senate the publication of a decree to this effect.¹ Unable to make any resistance, they accepted the situation, and presented a memorial to the Senate on August 24 requesting that a committee be appointed to regulate their affairs. On August 29 they met in committee and submitted the form of an act of renunciation, after having received an order on the previous day from the Prince that the act must be furnished within twenty-four hours.

After much haggling with the committee of the Senate, an agreement was reached and handed to the French authorities, by whom it was returned as unsatisfactory. The same fate befell the second agreement, notwithstanding the fact that the Senate had on August 31 made public a decree accepting it as the final act of renunciation. It was returned on September 1, Bernadotte objecting to the expressions of the act that implied that the renunciation was due to orders from the Emperor. He insisted that it be made to appear as the uninfluenced wish of the factory and not as an act of compulsion. "To this humiliating step the members were obliged to consent, and the same act having been passed by the Senate in its new prescribed form on the 2d of September, it proved at last satisfactory to the French authorities."

The act of renunciation of the residence having thus been agreed to by all the parties, it still remained to settle upon the exact terms

¹ It is difficult not to suspect some understanding between the Hamburgers and the French. The Senate feared that it could not set aside the contract of its own accord without incurring the displeasure of the British government. The occupation of the French afforded an excellent opportunity to secure the desired result and at the same time to shift responsibility.

of the agreement, as well as to determine upon the standing of the old members of the society. On September 4 the latter "yielded to the pressure of circumstances" and became citizens. The final settlement of the factory's interest was not reached, however, till April 20, 1808. The agreement¹ then entered into provides in generous terms for the surviving members of the court as well as for all those associated with it as servants. "Officers and servants of the former court, and their widows not engaged in trade," are permitted "to live under the protection and jurisdiction of the city, without further arrangement, and without the payment of taxes and contributions." Surviving members of the society are exempted from all military duties and civil offices, and in all cases not expressly provided for they are to enjoy the same rights and duties as citizens. For the surrender of all claims upon the property² of the court, the Senate guarantees to pay 80,000 marks banco (about £6,000), also 23,500 marks banco to secure the reversion of the grounds of the bowling-green and the house built thereon by the society in 1770. Further, in consideration of the fact that the English House had become the property of the city by the act of renunciation in 1807, "the keys of the entrance and of the principal building having been given up," the Senate grants "that the former Court-master, Mr. Joseph Blacker, shall have his house rent free during his own life and that of his wife"³ or the yearly compensation of 15,000 marks. Similar provision is made for the secretary, Mr. Coleman; the beadle, Mr. Daniels; and Jean Smith, the housekeeper, 1,500 marks being guaranteed the secretary annually after he vacates the house, and 400 each to the others. And lastly on the representation of the members of the court that by the dissolution of the society "the sources from which the salaries of their attendants had hitherto been drawn were entirely cut off," the Senate engaged in the name of the city to pay from the following Easter for an indefinite time the following salaries and pensions³: the yearly salary of the former secretary, 3,000 marks; of Beadle Daniels, 600 marks; of the former bellows-blower Gurgens, 60 marks; the pension of Mrs. Ross, 400 marks; the pension of Mrs. Behin, 360 marks; the pen-

¹ Agreement between the resident members of the English Company and the Senate of Hamburg, April 20, 1808. *Hamburg Complaints*, Enclosure in No. 8, Appendix H.

² From the report of the commission concerning the factory at Hamburg, in 1824, it appears that this was in the form of obligations upon the city treasury. *Hamburg Complaints*, Enclosure No. 8.

³ By the clause immediately following the Senate reimbursed itself by stipulating that the obligation of 23,500 marks for the bowling-green should not be enforced so long as any of the pensions continued, and that the interest was to be applied on the payment of the pensions.

sion of Mrs. Hammond, 200 marks; to the organist in full of future demands, 400 marks.

The personal property of the court was given for safe-keeping to William Burrowes, George Smith, and John Thornton. The first received the organ and books of the church, the second the library and the church plate, the third the registers and other documents.¹ Besides this there remained certain bequest moneys² bequeathed at different times to the society for the encouragement of young merchants, who were entitled to the use of them without interest.

In this manner ended an institution that had continued for centuries, at times with power and splendor, always with dignity. At Hamburg the first settlement of the society was effected in the face of the most determined opposition of the Hanse League; the dissolution, the death-blow to its existence in the imperial city, came, as we have seen, from Napoleon. In turn the Adventurers were obliged to defend themselves against the two most formidable enemies of England's commercial ambitions. Against the former, represented chiefly by Lübeck as the leader of the Hanse interests, they were eminently successful by the beginning of the seventeenth century. Against the latter, two centuries later, they had not even the strength left to make a vigorous protest. Their organization had lost its vitality; its methods, its policy, were those of a bygone age. The society had long ceased to be a determining factor in the commercial life of England, but like many other institutions that have outlived their usefulness, the Merchant Adventurers Society continued an uneventful existence long after its trade, its wealth, its power, and its influence had departed.

WILLIAM E. LINGELBACH.

¹ This would seem a very definite clue to the whereabouts of valuable records, but Mr. Thornton had nineteen children, and thus far only the papers in the possession of one of these, George Thornton, have been found.

² For the nature of these "Bequest Monies" see the chapter on "Bequest Monies" in *Laws, Customs and Ordinances*, "Translations and Reprints," N. S. Vol. II. 136-146. These moneys at the time of dissolution were in the hands of the following members: Joseph Blacker, the court-master, £ 1,000 sterling; John Blacker, 1,000; John Thornton, 1,000; William Alexander Burrowes, 1,000; George Smith, 500; James Sturtevant, 1,500.

NATURALIZATION IN ENGLAND AND THE AMERICAN COLONIES

THE relations existing between England and America during colonial times are full of interest, and perhaps no question is more important than that of immigration and subsequent citizenship. During the hundred years that preceded the Revolution many foreigners came voluntarily to the English colonies in search of homes and by their industry aided materially in the upbuilding of America, while still others became British subjects as a result of British conquest. The political status assigned to them both by England and by the colonies has as yet received little attention, and one of the interesting and neglected questions connected with the newcomers was naturalization. Almost the only discussion of the subject is the brief monograph by Miss Cora Start, "Naturalization in the English Colonies,"¹ which outlines the question along political rather than legal lines. There is still room to investigate England's attitude on citizenship, and the effect of English law and opinion. With the purpose of supplementing Miss Start's work and of studying early English and colonial laws upon naturalization, this paper has been prepared.

Most nations have their era of provincialism, when their life and thought is self-centered; when they regard others as inferior and assert the superiority of their own strength. Coming in touch with outsiders, they call them barbarians, foreigners, or heathen. Only by degrees are the barriers of race-suspicion and race-prejudice broken down, and many different factors have a share in the broadening process. Trade and commerce, war and strife, have forced peoples into close contact and compelled them to recognize the good in others. Slowly each has learned that no nation "liveth unto itself." Toleration has grown and developed as this fundamental proposition has been recognized, but real equality was not granted until a country was willing to admit into its family life those who had been born without its borders. Naturalization has been the initiatory rite by which outsiders have been admitted to the privileges of the national life, but a long struggle was necessary before such privileges were fully recognized and freely given.

¹ *Annual Report of the American Historical Association*, 1893, 317-328.

In bitter opposition to naturalization has stood the doctrine of indelible allegiance which forever binds a man to the flag under which he happens to be born. After nations have shown a willingness to admit foreigners to their fellowship, they have not recognized any right upon the part of their own subjects to become citizens of other countries. With curious reasoning they have welcomed strangers to their fold, while saying that their citizenship should hold against all. Even the United States, the foremost advocate of individual freedom, has suffered from this conflict of ideas. Executive officers have most consistently upheld the liberal view, while the judiciary has followed the narrower view of the common law as inherited from England.¹ Moreover, the doctrine of indelible allegiance is still strong, for original citizenship easily reverts even in the present day.² Great Britain held steadfastly to the above doctrine until 1870. "Once an Englishman, always an Englishman" was her watchword, and most faithfully did she uphold it. Thus, in 1703 Attorney-General Northey gave an opinion in which he held that if a person was naturalized without the license of Her Majesty, that fact would not discharge him from his natural allegiance,³ and the same principle was again strongly asserted in the *Æneas Macdonald* case of 1745.⁴ The mere fact of birth on English soil was all that was necessary, and no allowance was made for one who had lived and been educated abroad. In fact, personal considerations were never permitted to stand in the way, and England's power was used vigorously against those who in any way forgot their true allegiance. If English ships were in need of crews, and English subjects were found serving aboard foreign vessels, there was no hesitation about taking them — by force, if necessary. This annoying procedure was at its worst stage during the Napoleonic wars, when neutral rights were completely overridden. Then it was that the United States took a stand for the rights of neutrals and asserted the principle of expatriation and naturalization. Although brought up in the traditions of England and inheriting her legal ideas, the United States took an opposite view, which in time the mother-country adopted. The development of the American idea is well worth study, and can be understood only by investigation in that period of tutelage and semi-independence, the colonial era.

¹ This conflict of ideas is well shown in the *Opinions of the Attorneys General*, VIII. 139-169; 2 Cranch 82, note; Prentice Webster, *Law of Citizenship*, 74.

² The reversion to original citizenship is brought out in the naturalization treaties which the United States began in 1867. A comparatively short residence in the land of one's birth restores the former status.

³ George Chalmers, *Colonial Opinions*, 645.

⁴ Foster's *Crown Cases*, 59. Quoted by Sir Alexander Cockburn in *Nationality*, 64.

Before discussing colonial conditions, it will be necessary to learn what ideas regarding citizenship and allegiance the colonies inherited from England. All Englishmen coming to America brought with them the common law, which in this case rested upon the feudal law, whereby every man was attached to the soil and owed allegiance to the overlord upon whose land he was born. Thus allegiance and citizenship, like family and race, were determined for the individual by his birth. Personal choice was not recognized; political institutions rested on natural laws. England held to that principle without a break until 1350, when she permitted children that inherited and were born out of the English allegiance to have all the rights of natural-born subjects. It is worth noticing that in this respect the United States courts followed English principle and maintained the feudal law until 1855, when citizenship was extended to persons born of American parents outside of the United States.

England at first divided the people who dwelt within her borders into three classes — natural-born subjects, aliens, and denizens. The first two do not need definition; the last applies to a class of residents occupying a position between the other two. Denizenship was a status conferred upon an alien by letters patent issued by the monarch, whereby the foreigner was enabled to hold lands as well as inherit and transmit property to the children that were born after denization was granted.¹ These letters were considered matters of high prerogative and could be issued only by the king. The status thus given bestowed on the recipient a distinct advantage which the alien did not possess, inasmuch as the latter could not inherit or hold lands, although allowed to have personal property. The privileges of denization were very precarious, for they rested upon the monarch's will alone, and consequently were apt to be withdrawn. There was such a withdrawal of privileges in the time of Philip and Mary. One of the laws of the time provided that letters of denization that had been granted to Frenchmen since 32 Henry VIII. might be repealed by a proclamation made to that effect, and that while the lands of all such denizens might descend to their heirs, yet the profits of the lands during the life of the denizen should go to the Crown.² The same law provided that aliens who were licensed to stay in the realm had to give security that they would obey the laws. Even in the time of Henry VIII. we find laws commanding all foreigners having letters of denization³ to obey

¹ *Ibid.*, 28.

² 3 and 4 Philip and Mary, Chap. 6, *Stat. of the Realm*, IV. 327.

³ 32 Henry VIII., Chap. 16. *Ibid.*, III. 765. See also 21 Henry VIII., Chap. 16. *Ibid.*, 297.

the laws relating to strangers and aliens. These acts express the fear and jealousy of foreigners which seems to be innate in so many nations, and which in English history can be traced back to the time of Alfred the Great.¹

Besides denization there were two other methods by which an outsider might enter the British family fold, *viz.*, naturalization and conquest. By the former a man was given the rights of a natural-born subject; by the latter his allegiance was changed and he was made a subject of England, but he was not necessarily given the full rights of one who was born in England itself. The privileges of naturalization might be conferred upon a person either by general act, applying to a class of people, or by special act, applying to particular individuals. The latter was the early method, while general laws were a later development.

It will be necessary to consider the English law of citizenship in detail, because some of these acts affected the colonies directly, while others, by making a man a citizen in England, affected his status in America. It is doubtful, however, if letters of denization gave any rights outside of England. We have already seen that the first break in the old feudal idea came in the time of Edward III., when children of English parents born out of the king's allegiance were given the rights of citizenship.² Primarily the law was intended for ambassadors' children, and would only touch the colonies in case such persons went thither. Another act of Edward III. provided that children born beyond the seas in the king's dominions could inherit in England.³ This was an extension of English privileges, although by no means a departure from the principle of the ancient law, for place of birth was still the all-important factor.

Thus matters stood until the time of James I., when religious qualifications were demanded from all those that were naturalized. In the seventh year of James's reign it was declared that naturalization was merely a matter of grace and favor on the part of the monarch and should not be bestowed upon any except such as were of the established religion of the kingdom: "That no person or persons of what quality, condition, or place soever, being of the age of eighteen years or above, shall be naturalized . . . unless the same person or persons have received the sacrament of the Lord's Supper within a month next before any bill exhibited for that pur-

¹ In Alfred's time no alien merchant was allowed to reside in England upward of forty days except in fair-time. Cockburn, *Nationality*, 139.

² 25 Edward III., Statute I. *Stat. of the Realm*, I. 310.

³ 40 Edward III., Chap. 10. *Ibid.*, I. 389.

pose; and also shall take oath of supremacy and the oath of allegiance in the Parliament House before his or her bill is twice read."¹ The oath of allegiance and the sacraments here demanded acted as a restraint on the naturalization of conscientious Catholics and of all others having scruples in regard to Anglican forms. This restriction lasted many years. Charles II. passed a law naturalizing the children of those who had followed him into exile, and thus all English children born abroad during the years 1641-1660 were made English citizens.² Such an act, however, would affect the colonies only in case a person so naturalized went to America.

During the first years of his reign, William III. made but few changes in the law established by his predecessors,³ but in 1700 an important act was passed, which provided that any natural-born subject could inherit even if his father, or mother, or any ancestor through whom he might claim was an alien.⁴ This placed the children of aliens in the colonies on a par with those in England itself. Henceforth there was no distinction between a colonial and an Englishman in the matter of inheritance.

In the reign of Anne came still another advance in English liberality, for provision was then made for the naturalization of foreign Protestants.⁵ This was the first general naturalization law, and it proved to be a long step forward. Conditions on the continent were such that many Germans were seeking new homes, and the seaports were crowded with refugees. At Frankfort they sought the aid of the English minister, who was instructed to tell the Palatines to get the consent of the Elector to their expatriation.⁶ This is apparently the only occasion on which England has been particular to ask that those seeking homes within her borders should receive the consent of their rulers. However, England did not insist upon formal permission, and these people seem to have come without it. The Germans flocked to Great Britain during the spring of 1708; and Queen Anne, moved with pity at their sufferings, granted them a shilling a day and took steps to send them to the British colonies in America.⁷ Some of them were naturalized

¹ *Ibid.*, IV. Pt. II. 1157.

² 29 Car. II., Chap. 6. *Ibid.*, V. 847.

³ The only law passed in the first years of William's reign on naturalization was 9 Wm. III., Chap. 20, which naturalized the children of natural-born subjects that were born abroad between the years 1688 and 1698.

⁴ *Stat. of the Realm*, VII. 590.

⁵ *Ibid.*, IX. 63.

⁶ Even in England it was necessary to get from the monarch permission to emigrate. Under Elizabeth the law was that no one could leave the kingdom without license under the great seal on pain of losing his personal property. Chalmers's *Political Annals*, 26.

⁷ L. F. Bittinger, *The Germans in Colonial Times*, 59.

without fee and were given transportation to the colonies. They continued to come to England, and in October, 1709, there were some 15,000 of these poor and destitute foreigners encamped near London,¹ whose citizens became greatly interested in the strangers. The government was finally forced to take a hand in the matter, and as a result many of them were naturalized and sent to America.² Tools were furnished them together with free passage and promise of help during the first year. This promise was not kept, especially in the case of those who went to New York, and the result was severe suffering, which caused an immigration into Pennsylvania.³

According to the law passed in 1709, the naturalized had to take the oath of allegiance, and partake of the sacrament before witnesses, who signed a certificate to that effect. In addition, all the children of naturalized parents were to be considered natural-born subjects. When the Tories finally gained control of Parliament in 1712, they succeeded in having the law repealed, but the results were not overthrown, for the repeal was not intended to invalidate naturalizations already granted.⁴

The most important act affecting the colonies was passed in 1740, when English citizenship was established upon a broad basis. Colonial laws were overridden and in a measure superseded, since an alien colonist was permitted to obtain a status which would have equal value in every colony. The law provided that any person born out of the allegiance of the king of England who had resided in the colonies for seven years, and during that period had not been out of them at any one time for more than two months, could be naturalized by taking the oaths and subscribing to the declaration.⁵ The act permitted Quakers to affirm and in administering oaths to Jews the words "upon the true faith of a Christian" were to be omitted. A fee of two shillings was collected for the entry of the names in a public record-book. Colonial naturalization certificates were to be recognized in the courts of Great Britain and Ireland, and colonial secretaries were ordered to send every year to England a list of the persons so naturalized. In this, as in previous laws, the sacraments had to be received in some Protestant or Reformed congregation within the kingdom of Great Britain or in the colonies three months before the oaths were taken. Limitations were placed upon office-holding in England, and no person under this act could

¹ *Ibid.*, 65.

² 7 Anne, Chap. 5. *Stat. of the Realm*, IX. 63.

³ S. H. Cobb, *The Story of the Palatines*, 197-199.

⁴ 10 Anne, Chap. 9. *Stat. of the Realm*, IX. 557.

⁵ 13 Geo. II., Chap. 7. *Ibid.*, XVII. 370.

be admitted to the Privy Council or either house of Parliament; nor could such a one hold any office, civil or military, within the kingdom of Great Britain or Ireland. Otherwise, English rights and privileges were freely and fully given.

The lawmakers of the realm seem to have been in remarkably good humor, for in 1753 they went so far as to pass a law which permitted the naturalization of Jews that still held the Jewish faith, providing they had resided for seven years in America and would fulfil the requirements of the law just mentioned, with the exception of taking the Lord's Supper.¹ Parliament had evidently gone beyond what the country would support, however, for the act was repealed the following year on the ground that it disquieted the minds of many of His Majesty's subjects. Naturalization legislation continued to be enacted, and as late as 1773 it was provided that foreign Protestants who had served for two years in any of the royal American regiments could become naturalized under restrictions regarding office-holding in England.²

It was evident, however, that England had resolved to keep the matter of citizenship under her immediate control; for, in the same year, instructions were issued to all governors in America not to give their consent to any naturalization bill passed by the legislative bodies of the colonies under their charge.³ The following year, 1774, an act was passed to prevent people from becoming naturalized merely for the sake of claiming the immunities of British subjects in foreign trade.⁴

We have now followed in some detail the development of the English law and have noted a steady progress. Starting with a distrust of outsiders, England advanced to the point where she was willing to take large numbers of foreigners into her body politic and give them almost equal rights with the most favored of her natural-born.⁵ Although England broke with the old feudal principle by recognizing as citizens people born outside of her territory, she did not readily give up the idea of inalienable allegiance so far as her own subjects were concerned, and consequently held to that principle until the last part of the nineteenth century. The seventeenth century brought with it religious qualifications, which were enforced until the middle of the eighteenth century. The earlier laws had in mind chiefly matters of inheritance, but the last two cen-

¹ 26 Geo. II., Chap. 26. *Ibid.*, XXI. 97.

² The same restrictions as in the act of 1740.

³ *New York Colonial Documents*, VIII. 402, 564.

⁴ 14 George III., Chap. 84. *Statutes at Large*, XXX. 554.

⁵ The privileges withheld were the holding of offices in England.

turies introduced sweeping naturalization acts, marking a liberality and broad-mindedness for which England has received too little credit.

Turning to a comparison of colonial with English conditions, we see that there was at no time throughout the English colonies that great distrust of foreigners which was to be found in England. Although it must be said that New England and especially Massachusetts Bay turned a cold shoulder to new-comers, and received with but few exceptions only those that strengthened the narrow theocratic state, on the whole strangers were welcomed; for the greatest need of America was men to develop the resources of the country.¹ While Europe was overcrowded, the colonies offered land in abundance, which could be had for almost nothing. America gave men an opportunity to build homes and fortunes free from the political, religious, and economic tyranny of the Old World. Proprietors of new colonies were anxious to obtain settlers and made inducements to new-comers. William Penn made special trips to the continent for the purpose of enlisting colonists and, not satisfied with that, he issued printed circulars, which set forth the glories of the land beyond the seas and the fortunes that awaited the immigrant.² One would almost think that he was reading a modern advertisement, and the whole movement closely resembles that of the nineteenth century when the northwestern states held out inducements to the Swedes and Norwegians. The seventeenth century drew its immigrants from England, Ireland, and Scotland, while most of the foreigners that came here were French Protestants. The eighteenth century marked a great change in colonization, for modern methods were brought into use, and the movement became more general.

The foreign immigrants went chiefly to the central and southern colonies, this being especially true of the Germans and the Scotch-Irish. New England, on the other hand, kept strict watch over all immigrants and favored the Independents. Consequently that part of the country remained more purely English than any other. The immigrants found their way to the frontiers, where they cleared the land and formed a bulwark against the Indians. New York and Virginia seemed, with that definite object in mind, to push the strangers to the west.

¹ Pennsylvania took a different view in 1729, when the government, frightened by the influx of foreigners, laid a tax on all new-comers, but this was repealed shortly. E. E. Proper; *Colonial Immigration Laws*, 50.

² George I. himself sent a special agent to the Mennonites of the Palatinate to suggest settlement in Pennsylvania. *Pa. Mag. of Hist.*, 11. 126.

Turning to the attitude of individual colonies, we find Massachusetts upholding, as we should expect, the notion of a close corporation, membership in which was given with great care. Outsiders desiring admission had to seek the permission of the authorities. In 1662, by a resolve of the general court, a few French Protestants were permitted to enter the colony,¹ but it was not until 1700 that a general immigration law was put in force. Every ship coming into the ports of Massachusetts had to furnish to the authorities a list of the passengers, and this was followed a few years later by an act which forbade the importation of poor, infirm, or vicious people. The French Protestants that went there behaved themselves so well that in 1739 an act of naturalization was passed in their favor.² The spirit of exclusiveness, however, was by no means overthrown, for we find an English traveler writing as late as 1760 that few people of foreign birth were to be found dwelling in Massachusetts.³ Connecticut was in the habit of demanding an oath of all strangers who came to dwell within her territory. New York had little or no immigration until the coming of the Germans. In fact, Governor Dongan called attention to the small number of immigrants who entered the province after its capture from the Dutch.⁴ When immigration did come, it spread into the Mohawk valley and from there into Pennsylvania. Most of the southern colonies offered grants of land to attract settlers, and the possession of land gave not only material wealth, but also social rank and, generally, political privileges. Acts were passed to secure and guarantee these land-titles, and in some cases taxes were exempted.⁵ South Carolina went so far as to prohibit the collection of money for all debts that had been contracted before the person came to the colony. This made the territory a refuge for those who had suffered under the severe English laws and was naturally much disliked by the creditor class.

Side by side with the material inducements held out to the newcomers should be placed the development of colonial laws by which the foreigner was made a full member of the body politic. The colonies employed the same methods of naturalization that England used. Letters of denization were issued by the governors; then there were special acts of the legislature relating to particular persons; and finally there were general naturalization laws. Colonial

¹ Chalmers, *Political Annals*, I. 315.

² Proper, *Colonial Immigration Laws*. See under "Immigration Laws of New England."

³ *Ibid.*, 30.

⁴ *Ibid.*, 39.

⁵ *Ibid.*, Chap. I.

legislation, however, was much more limited than that of England, for no colony could give any rights outside of its own borders. Chalmers says that the naturalization acts gave many valuable rights, such as the privilege to acquire lands and to vote at elections, but that they were not intended to give the new-comers the right to act as factors and merchants or to own vessels, for that would be contrary to the navigation laws.¹ Aliens pleading colonial acts of naturalization as a protection for their trading had their vessels seized and condemned by the courts of admiralty, whose decisions were sustained on appeal to the king in council. Chalmers complained that several governors, who were of royal appointment, had given letters of denization, under which aliens had traded contrary to the navigation acts.² On this account William ordered that no more letters of denization be granted,³ but as a matter of fact they do not seem to have been used in the colonies to any extent. The limited character of colonial naturalization is shown in repeated decisions. For example, Chief-Justice North ruled that a Virginian naturalization had merely local effect and did not confer the privileges of citizenship in any other colony.⁴ The solicitor-general in 1718 held that a New Jersey act merely gave the rights of a natural-born subject in that province alone, and consequently there would be no harm in approving it.⁵

In studying colonial laws we are met at the outset with the lack of collections that are in any sense complete. New York and Pennsylvania deserve great credit for their collections, which have been most carefully prepared under the direction of the state. Massachusetts and Virginia also have collections that furnish one all that is needed. As an illustration of the difficulty arising from the lack of material, we may notice that while Chalmers maintains that Maryland was the colony to pass the first naturalization act, in 1666,⁶ the Maryland laws are not accessible to enable us to determine the exact fact. It is also said that many people of alien races went thither and became citizens under this and subsequent acts.

The first naturalization law of South Carolina was passed in 1696, and whatever rights were previously given to foreigners must have been given by special acts or by letters of denization of which

¹ Chalmers, *Political Annals*, Book I., 316.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*, 321.

⁵ Chalmers, *Colonial Opinions*, 133. See also foot-note.

⁶ Chalmers, *Political Annals*, Book I., 315.

we have no record. The preamble of the act recited that the newcomers had greatly enriched the province by their "industry, diligence and trade."¹ Consequently it was enacted that "all aliens, male and female, of what nation soever, which now are inhabitants of South Carolina, their wives and children, shall have, use and enjoy all the rights, privileges, powers and immunities whatsoever, which any person born of English parents within this Province may, can, might, could or of a right ought to have, use and enjoy; and they shall be henceforth adjudged, reputed and taken to be in every condition . . . as free . . . as if they had been and were born of English parents within this Province." It made valid all bargains and sales that had been made previous to the act, and also provided that any person to obtain the benefits here established must petition within three months. No one was to have the benefits of the law unless he should take an oath of allegiance to King William.

The above legislation was limited to the aliens already in the province, and hence provided no general and lasting method for naturalization. Other foreigners equally worthy came to South Carolina in the next few years, and consequently further legislation was necessary. In 1704 another law was passed providing that "all aliens which shall hereafter come into this part of the Province, their wives and children, shall have, use and enjoy all rights, privileges . . . as if they had been born of English parents within the Province."² An oath of allegiance to Queen Anne was demanded and, in addition, one against popery. No alien naturalized by this act could be elected a member of the general assembly, but he could vote, providing he was of age and had the necessary property qualifications.

No more laws upon this subject were passed by South Carolina, and until after the Revolution all foreigners were naturalized under the act of 1704. In 1712 the assembly reenacted certain English laws, and among them the one of William III. providing that a natural-born subject might inherit estates even though his father or mother or the person he inherited from was an alien.³ This merely strengthened the rights of the natural-born, but did not change naturalization. Its main interest lies in the fact that the assembly was in the habit of accepting English laws bodily.⁴

¹ Thomas Cooper, *Statutes at Large of S. C.*, II. 131.

² *Ibid.*, 251.

³ *Ibid.*, 401.

⁴ North Carolina and Georgia have no good collections of laws, and hence I have found it impossible to trace the history of naturalization in those colonies.

Virginia does not seem to have been bothered with an influx of foreigners during the first half-century of her life. The first legislation touching aliens is the law of 1657, which placed all aliens in the same status as Irish servants that came to the colonies without indentures, and made them serve from six to eight years.¹ Evidently, Virginia was not anxious for the presence of strangers at that time, but by 1671 the desires of the people had changed, for we have an act whose preamble recites the advantage of inviting other people to reside in the province. Any stranger desiring to make his home in Virginia might, after a petition to the general assembly and the taking of certain oaths of allegiance and supremacy, have an act passed that would give him all the privileges of a natural-born subject, but it was definitely stated that the benefits of the act were limited to the province. The speaker of the assembly was to receive eight hundred pounds of tobacco as a fee, while the clerk was to have four hundred.² A number of persons took advantage of these provisions, and during the next ten years a large number of private acts, naturalizing anywhere from one to ten persons, were passed.³ In 1680 the assembly enacted that the governor could by a public document given under the great seal declare any alien or foreigner who was at that time living in the colony, or who should come thither in after years, naturalized on his taking the oath of allegiance. The governor was allowed a fee of forty shillings and the clerk twenty. One of the clauses provided that nothing in the law should give privileges contrary to the laws of England, evidently having in mind the navigation acts.⁴ The governor continued to be the dispenser of privileges to aliens down to the Revolution.

Attention has already been called to the eagerness with which Penn sought on the continent new settlers for his province, and we are therefore prepared to find that he was liberal in the matter of naturalization. The colony was hardly established before an act was brought forward. On December 7, 1682, provision was made that all foreigners residing in the province could have all the rights of freemen by taking the oath of allegiance to the king, and one to William Penn as proprietor. The oaths were to be taken in the county courts, and a certificate under the seal of the governor was to be given, for which a fee of twenty shillings might be charged.

¹ Hening, *Statutes of Virginia*, I. 471. The exact meaning of the law is hard to determine and there is need of authoritative commentary.

² *Ibid.*, II. 289.

³ *Ibid.*, 302, 308, 339.

⁴ *Ibid.*, 464.

The law was intended primarily for the three lower counties on the Delaware, where there were many foreigners.¹ The assembly declared this a part of the fundamental law in March, 1683, but the declaratory act was repealed in 1693.² However, the naturalization law itself seems to have endured until 1700, when it was repealed.³ Another law was passed the same year, which enabled the governor in a public instrument given under the great seal to declare "any alien, aliens, or foreigners being already settled or inhabiting within this government, or shall hereafter come to settle, plant or reside therein, having first given his or their solemn engagement or declaration to be true and faithful to the King as sovereign, and to the proprietor and governor of this province . . . to be to all intents and purposes fully and completely naturalized." The fees provided were small, and the declaration was made that no privileges were given which were forbidden by the law of England. In addition, it was declared that all Swedes, Dutch, and other foreigners that were settled in the province or territories before the issuance of letters patent should be considered fully and completely naturalized.⁴ The law was repealed in England in 1705 in accordance with a report of the attorney-general, who held that the proprietor had no right to declare the Dutch and Swedes naturalized.⁵ Until 1742 Pennsylvania naturalized by private act,⁶ often grouping a large number of foreigners into one bill, but in that year a law was made which merely copied that of George II., which, as we have seen, provided a general method of naturalization for all the colonies.⁷ Even after this date, however, the province continued to naturalize by private act,⁸ and thereby frequently gave full rights to people that had resided in the colony a shorter time than the term provided in the English act.

A few words are sufficient to show what was done in the other colonies south of New York. We have already noticed the statement that Maryland had the honor of passing the first naturalization act in 1666, but whether it was a general or special law, it is impossible to say. Indications would point to the latter, for we find an act of 1704 which said that the fees for naturalization acts and other

¹ *Charter to William Penn and Laws of the Province of Pennsylvania, 1682-1700* (Harrisburg, 1879), 105.

² *Ibid.*, 154.

³ *Ibid.*, 106.

⁴ *Statutes at Large of Pennsylvania*, II. 29-31.

⁵ *Ibid.*, 492.

⁶ *Ibid.*, 297; III. 424; IV. 57-58, 147, 219, 283, 327.

⁷ *Ibid.*, 391.

⁸ *Ibid.*, VI. 270, 399; VII. 47.

private laws should be determined by the assembly which passed the bill.¹ Delaware, of course, was covered by the laws of Pennsylvania, and we have seen that the law of 1700 had particular reference to the foreigners of that district. In New Jersey, the lords proprietors in their Concessions and Agreements provided that the assembly should have power "by act to give all strangers, as to them shall seem meet, a naturalization, and all such freedoms and privileges within the said Province as to his Majesty's subjects do of right belong."² No doubt the assembly made use of the privilege thus given, but the laws are not at hand to demonstrate the fact.

The colonial politics of New York furnish the student much of interest, for the colony, like the state, had strong political factions. The legislation of the colony has in consequence much significance, and this is especially true of the laws of naturalization. In 1683 an act was passed providing that any foreigner professing Christianity could be naturalized upon taking an oath of allegiance. To obtain this privilege one had to be actually living in the province at that time, and the act was not to be construed to set at liberty any bondman or slave.³ All foreigners that came to the colony after this act might become naturalized by an act of the assembly. The religious qualifications were strictly enforced and Catholics were put under the ban. This is well shown in a letter of Governor Fletcher written in 1696, in which he says that he has found two French Roman Catholics in the last company of immigrants and has returned them for fear they would correspond with their friends in Canada.⁴ The letter also shows that there was considerable immigration into Pennsylvania to avoid the burdens imposed by the defense of the frontier. This is only one of many indications that there was a good deal of intercolonial immigration. The next important piece of legislation came in 1715, when it was enacted "That all persons of foreign birth, now deceased, inhabiting and being within this colony at any time before the first day of November, One thousand Six hundred and Eighty-three, and being seized of Lands, Tenements or hereditaments shall forever hereafter be deemed, taken and Esteemed to have been naturalized, and entitled to all the Rights, Privileges and advantages of any of the natural born Subjects of the Colony."⁵ The preamble of the act stated that previous governors had given letters of denization, on the strength of which many

¹ Thomas Herty, *Digest of the Laws of Maryland*, 377.

² A. Leaming and J. Spicer, *Grants, Concessions, and Constitutions of New Jersey*, 17.

³ *Colonial Laws of New York*, I. 123.

⁴ *Colonial Documents of New York*, IV. 159.

⁵ *Colonial Laws of New York*, I. 858.

foreigners had purchased property. The question of inheritance had then arisen, and this law was for the purpose of confirming all titles. The naturalization of the dead is most curious, and New York alone can claim such legislation. Provision was also made that any living persons who had not taken advantage of the previous act might be naturalized by taking the oath of supremacy and subscribing the test and repeating the oath of abjuration, providing they took the step within the next nine months. The law of 1715 was passed only after a long strife between the governor and the assembly over the matter of salary. Governor Hunter wrote the board of trade that the assembly had postponed all business for an act of general naturalization, which was very popular in the colony. He finally agreed to the bill with the understanding that the assembly should settle a fixed income upon the governor.¹ Attorney-General Northey gave a long opinion on the law when it came before him, holding that the law of 1683 was sufficient for all purposes. "It seems," he said, "not reasonable to naturalize in the lump all Foreign protestants within that Colony, for that in naturalizations the particular circumstances of the persons naturalized should be considered."² The law seems to have stood despite the opinion of the attorney-general.

The general method of naturalization in New York was, however, by special act, and from this time until the Revolution hardly a year passed that a number of people were not made citizens. By 1730 the foreign Protestants had again risen in numbers, and a general law was passed to naturalize all such as had resided in the province one year. They were to take the oaths appointed by law, subscribe to the test and declaration, and take and repeat the abjuration oath in the presence of the governor and council of the province. Upon the payment of a fee of five shillings to the secretary, a certificate of naturalization was to be given.³

No general naturalization laws were enacted in New England. When rights were given to foreigners, they were provided for by special acts. Mention has already been made of the exclusiveness of that section. As a consequence of this spirit, little or nothing in the way of naturalization was attempted.

A summary of colonial legislation shows that the same methods were employed in America as in England: letters of denization were issued; general laws and private acts were passed. But the rights conferred by the colonies were much more limited than those

¹ *Colonial Documents of New York*, V. 403, 416.

² *Ibid.*, 497.

³ *Acts and Resolves of the Province of New York*, II. 586.

given by the mother-country. In America the laws were limited to the province in which they were passed, and gave no rights beyond its limits. Some English laws, such as the navigation acts, acted as restraints on naturalization. The use of the private act for naturalization was very common, especially in Pennsylvania and New York. General laws were in force in South Carolina, Virginia, and Pennsylvania. The law of Pennsylvania was repealed by the queen, and hence its extensive use of the private act. In the last colonies mentioned the executive officers were generally given the power to naturalize foreigners on their taking the necessary oaths and paying the necessary fees. The political rights conferred by these laws varied in different colonies, according as the laws for voting differed. By permitting aliens to obtain land the naturalization acts generally gave each man the power to get the necessary voting qualifications. However, we noted that in South Carolina, although an alien might vote if he had the required amount of land, yet he could not hold office. The greatest benefit given by naturalization legislation was the right to purchase and hold land, which might be transmitted to one's children. The possession of land meant the means of becoming socially important, for rank in a new country depends largely upon such possessions. Not only that, but land in the early days furnished almost the only means of gaining wealth. Although an alien might be under certain political disabilities, even after naturalization, he had the satisfaction of knowing that he was laying the foundation of power which he could pass on to his children, who might freely obtain the rights denied him.

The colonial naturalization laws must, therefore, be considered of great significance. They encouraged the industrious alien to come to America, and his coming meant the rapid development of the country. Without complaint he faced the savages of the frontier, cut the forests, cleared the land, and stood as the advance-guard of our civilization. For that work he is deserving of much credit, and it was only fair that the provinces should make this industrious person an integral part of their people.

A. H. CARPENTER.

FRENCH INFLUENCE ON THE ADOPTION OF THE FEDERAL CONSTITUTION

THE relations of France with the United States during the War for Independence, the peace negotiations of 1782-1783, and the later controversy over neutrality have been the subjects of extended discussion. On the other hand, little attention has been paid either to the policy of France concerning the formation and adoption of the Federal Constitution or to the influence she attempted to exercise. Some investigation of these subjects, however, appears to be needed, when one considers that they appeared among the specifications which the revolutionary government of France made public in its exposure of the alleged perfidious conduct of Vergennes and Montmorin toward the United States during the whole period from 1778 to 1789.

The address to the President of the United States, reported by Gaudet to the National Convention on December 21, 1792, declared that the royal government had merely made a pretense of helping to secure American independence, and that its ambassadors had instructions to hinder the development of American prosperity.¹ In the same spirit, the instructions of Genet, also prepared in December, 1792, required him to remind the Americans of their natural brotherhood with the people of France, and enjoined him to explain that the reason for the failure of the two nations to reap the fruits of their true friendship lay in the treachery of the lately destroyed cabinet of Versailles. The Executive Council were said to have just learned with great indignation, by inspection of instructions given to Genet's predecessors, that at the very time when the good people of America expressed their gratitude in the most feeling manner and gave every proof of their friendship, Vergennes and Montmorin thought it advantageous for France that the United States should not attain the political stability of which they were capable, because they would soon acquire a strength which they would probably be eager to abuse.² Copies of official documents to prove that it had been the wish of France, expressed while the question was pending, that the Constitution might not be adopted were to be communicated

¹ *L'Ancien Moniteur*, XIV. 810.

² *Annual Report of the American Historical Association for 1896*, I. 959. For the basis of this charge see *infra*, Montmorin's instructions to Moustier, page 307.

by Genet to President Washington when presenting his official letter.¹ Further, Genet gave to the American public an incidental revelation of malign royal French influence against the movement for the establishment of an efficient federal government, when he published his instructions in Philadelphia, in December, 1793.²

A similar interpretation of French policy upon this subject was given to Lansdowne by Talleyrand, in a letter written from Philadelphia on February 1, 1795. Talleyrand was developing at length his views upon the relations of the United States with European powers, and he found it necessary to account for the distrust of France shown by public men in America. His explanation was that it originated in the discovery, by the American leaders, that M. Ternant,³ the French ambassador, had instructions to oppose the movement for the Federal Constitution. They could but resent the perfidy of an ally who secretly wished to keep the states disunited, to condemn them to a long and painful infancy, lacking the strength to protect themselves. The influence which the French diplomatic agent, following his instructions, was able to exert against the Constitution in the Federal Convention and in the conventions of the several states was, to be sure, insufficient for the end desired. But his efforts aided in sowing the seed of Antifederalism, and since then American statesmen had feared the snares of fraternal association with the French.⁴

Suspicion about the truthfulness of the foregoing representations is engendered in the mind of the modern inquirer as soon as one searches for contemporary notice of opposition by French agents to the formation or ratification of the Federal Constitution. No evidence has been found, either in the public communications or in the

¹ Marshall, *Life of Washington*, II. note x. Genet also communicated copies of documents showing that France and Spain had tried to exclude the United States from the Mississippi, and that they were jealous of this growing power.

² *Genet and the Federal Government*, Philadelphia, 1793. His main purpose in this publication was to justify his course during the controversy with the federal administration. He sought to show that he had acted in accordance with his instructions. On the publication of Genet's instructions, see *Writings of Washington* (Ford), XII. 332 et seq.; *Life and Correspondence of Rufus King*, I. 447; *American State Papers, Foreign Relations*, I. 572.

³ The spelling of this minister's name in the documents signed by him is Ternant — although Americans commonly wrote it Ternan, and the form ascribed to Talleyrand is Ternau.

⁴ The letter which included these statements was first published in the *Revue d'Histoire Diplomatique* in 1889, the significant sentences upon the immediate question now under consideration being printed on page 69. Talleyrand's extended comments upon American industry, commerce, and foreign relations are of great interest. Here are foreshadowed the arguments of his celebrated paper on commercial relations of the United States with England, read before the Academy in April, 1797.

published private correspondence of opponents of the Constitution, to show that opposition was encouraged and assisted by France. Nor is there any mention by its advocates of resentment on account of influence exerted by France to defeat their efforts for strengthening the Union. If any such opposition was made at all, it was managed by men so shrewd and cautious that their secret was not betrayed to the leaders who would have been glad to unmask foreign intermeddlers.¹ Furthermore, abundant contemporary commentaries upon all phases of the controversy over the Constitution are found among the despatches from America preserved in the Archives des Affaires Étrangères,² but they contain no reports of efforts to assist the Antifederalists. Finally, the only explicit and circumstantial charge of this nature is made in a source of dubious value, *i. e.* in a letter from Talleyrand, written in 1795. Whereas the National Convention of revolutionary France had been quite content with the public revelation that the government of the late Louis XVI. had not been a disinterested and helpful ally of the United States,³ Talleyrand ventured in private correspondence to make specific assertions of offensive interference in a question of American domestic policy, and gave what seemed to be corroborative details to substantiate the charge. But Talleyrand's situation as a proscribed émigré led him to overemphasize American distrust of France, and to gratify his friend Lansdowne by reporting news that the latter would be pleased to read. He might easily have confused the earlier difficulties of the peace negotiations, and the disputes over the navigation of the Mississippi, with the ill-feeling caused by more recent events and by the revelations made through Genet in 1793. He was certainly in error in naming M. Ternant as the agent of this reprobated French policy, for that gentleman was made minister to the United States only in March, 1791,⁴ and could not possibly have acted in that capacity to oppose the Federal Constitution in the Federal Convention (which Talleyrand assigns to

¹ On the contrary, Washington continued to express his cordial sentiments toward France, as in the following assurance to Moustier, on March 26, 1788: "... as no subject of uneasiness has turned up with respect to France, any disgust or enmity to the latter would involve a mystery beyond my comprehension. . . . But no prejudice has been revived, no jealousy excited (to my knowledge) which could have wrought a revolution unfriendly to your nation. If one or a few persons in New York have given a different specimen of thinking and acting, I rely too much upon your candor to apprehend that you will impute it to the American people at large." *Writings of Washington* (Ford), XI. 236.

² Archives des Affaires Étrangères, États-Unis, Mémoires, 1783 à 1789, Tomes XV., XVII.

³ The National Convention apparently expected by this display of frankness to remove any lingering vestiges of American sympathy for monarchical France.

⁴ *Moniteur*, March 7, 1791.

1789) or in the conventions of the several states. It is apparently a safe conclusion, therefore, in the light of these various considerations, that Talleyrand misrepresented the facts of Franco-American relations, and that no active steps were taken by French agents in the United States to prevent the adoption of the Federal Constitution.

Turning now to a somewhat different phase of the problem under discussion, what do the diplomatic archives reveal of the wishes and policy of France, as distinguished from her actual influence?¹ The interruption of business caused by the death of Vergennes, and the absorption of attention by more important matters of diplomacy then pending, led to almost complete neglect of American relations during most of 1787.² Montmorin seems to have first considered American affairs in August, when his leading thought was that the rapid tendency within the United States toward complete independence of the states from each other would bring no unfortunate results for France.³ It was not until October that he attached the slightest significance to the movement for a revision of the Articles of Confederation. He explained then to Moustier that the question of a new constitution was of very slight importance in the policy of the King, but that His Majesty thought that it was to the advantage of France for the United States to continue in their present condition, because if they should attain the political stability of which they were capable, they would soon acquire a strength and a degree of power which they would probably be eager to abuse. Despite this last reflection, the minister was to adhere carefully to the position of a completely passive spectator, not showing that he opposed or favored the new project.⁴

¹ The publication of the correspondence of Montmorin and Moustier, communicated by Professor Henry E. Bourne, in the REVIEW for July and October, 1903, renders it unnecessary to quote at length the evidence for the conclusions now to be stated. Perhaps it should be said in passing that the documentary material for this study was obtained by the writer as a result of personal research in the French Archives in 1902.

² Vergennes died in February, 1787. The chief interest of French diplomacy in 1787-1788 centered in the state of Holland.

³ Montmorin's instructions to Otto, August 31, 1787, partly printed in translation in Bancroft, *Constitution*, II. 438.

⁴ Archives des Affaires Étrangères, États-Unis, 1777 à 1787, Supplément, Tome I., folios 421-426. This is seemingly a first draft of the document printed in the REVIEW for July, 1903, 710-714. Meanwhile Otto had expressed his opinion that the new scheme of government should excite the enthusiasm of all Americans who desired the prosperity of their country, despatch numbered 101, dated New York, October 20, 1787. A few weeks later he reported that certain politicians were using the approval of the Constitution by representatives of foreign powers as an objection to its adoption. Archives des Affaires Étrangères, États-Unis, 1777 à 1787, Correspondance, Tome XXXII., folio 401.

Moustier's first impression of the state of affairs in America was obtained in February, 1788, after five states had accepted the Constitution. Under these circumstances, he expressed to Montmorin the opinion that the time had passed for European powers either to favor or to oppose the adoption of the new Constitution.¹ Four days later, upon the basis of a little wider acquaintance and further reflection, he stated his views more comprehensively, but to the same general effect. He had sought to conform to his instructions, but in view of the fact that the Constitution was steadily growing in favor and perhaps would be adopted by all the states, existing circumstances seemed to require that he should avoid strengthening a widely prevalent opinion that the King had lost all interest in the American republic and that its success would even give umbrage to him. If the new Constitution should be adopted, and Congress should thereby acquire sufficient authority to give efficacy to its political alliances, it would be most unfortunate to allow the impression to prevail that the King did not really concern himself with the prosperity of the United States.²

It was after enlightenment from this correspondence that Montmorin wrote to Moustier, under date of June 23, 1788, his first and only despatch referring to the adoption of the Constitution as a pending political issue. In it he explained that he did not know whether France must deal with one government or with thirteen separate states. The reserve prescribed as to the Federal Constitution was ascribed to the resolution of the King not to mix in the internal affairs of the United States, and such reserve should be regarded as an evidence of His Majesty's respect for their independence, rather than as a proof of indifference. Yet he virtually repeated his earlier instruction by requiring the minister to abstain from expressing any judgment upon the new Constitution.³ The essential harmony of Moustier's views with the tendency of these instructions was shown by his record of his belief on June 25 that Virginia and New York would fail to ratify the Constitution, and that the defection of these two states would be fatal to the stability of the new government, even although New Hampshire had just supplied the ninth ratification. The tone of his reflections revealed no sense of disappointment for France in a continuance of American divisions and weakness.⁴ So, too, the assured triumph of the

¹*Ibid.*, Tome XXXIII, folio 18; AMERICAN HISTORICAL REVIEW, VIII, 716.

²Correspondance, XXXIII., folio 31; AM. HIST. REV., VIII, 723. Moustier found, too, that partizans of the Constitution expected to see him take an active part in favor of its adoption.

³Correspondance, XXXIII., folios 208-210; AM. HIST. REV., VIII, 727-729.

⁴Correspondance, XXXIII., folios 214 ff.; AM. HIST. REV., VIII, 730-733.

Federalists gave him no cause for rejoicing, but merely led him to make pretense to American leaders that the adoption of the Constitution had always been desired by his royal master.¹

Scanty as the direct evidence thus reviewed unfortunately is, its purport is clear. While the question of the adoption of the Federal Constitution occupied no great share of attention in the administration of French foreign affairs, and while no actual interference to arrest the movement for a strong American central government was attempted, France would have preferred to see the United States remain under the weak and inefficient Confederation, and her ministers in America were to regulate their conduct circumspectly with due regard to this fundamental consideration of French policy.

CLYDE AUGUSTUS DUNIWAY.

¹ Correspondance, XXXIII., folios 332 ff.; AM. HIST. REV., IX. 90.

DOCUMENTS

Papers of William Paterson on the Federal Convention, 1787

WILLIAM PATERSON is generally remembered as one of the leaders of the Small State party in the Federal Convention, and chiefly as the delegate who introduced and defended the New Jersey plan. In addition to his work in the Convention, he played an active part in national and state affairs.

He was born in Ireland in 1745. His parents came to Philadelphia two years later, and in 1750 settled in Princeton. He graduated from Princeton College in the class of 1763, and from 1787 to 1802 was a member of the board of trustees. It is an interesting fact that in 1765, while studying law under Richard Stockton, a signer of the Declaration of Independence, Paterson was one of the founders of a patriotic society called the Well-Meaning Club. This was afterward reorganized as the Cliosophic Society. Enrolled among its members were Oliver Ellsworth and Luther Martin, two men who were later, like Paterson, strong advocates of the Small State policy at Philadelphia.¹ He was a member of the first Provincial Congress of New Jersey, 1775, a delegate to the Continental Congress, attorney-general of his state, and a member of the Annapolis Convention.

After his work in favor of the New Jersey plan was finished, Paterson took little part in the debates of the Federal Convention. On July 23 he seconded a motion of Ellsworth that the Constitution be referred to the legislatures of the states for ratification. There is no evidence of his participation in the Convention from that date to the time of signing the completed instrument.

In the organization of the new government, Paterson was chosen as a senator from New Jersey, but he soon resigned to become governor and chancellor of his state. During the three years of his governorship he began the important work of collecting and putting into proper form all those British statutes held to be in force before the Revolution that by the constitution of New Jersey were to have force and validity, together with all the public acts passed by the New Jersey legislature. This task, finished in 1800,

¹ W. Jay Mills, *Glimpses of Colonial Society and the Life at Princeton College 1766-1773* (Philadelphia, 1903), 17.

is said to have been done with marked skill and judgment.¹ On March 4, 1793, he was commissioned by Washington as associate justice of the Supreme Court of the United States, a position which he held till his death in 1806.

The following documents, unless otherwise noted, are at present in the Library of Congress, Division of Manuscripts. They have been recently secured from Mr. Noah F. Morrison, of Elizabeth, New Jersey. Those that are not in the Congressional Library are here printed from copies made by Professor J. F. Jameson of originals furnished him by Miss Emily K. Paterson, of Perth Amboy, New Jersey. Copies of everything that is here printed are to be found in the New York Public Library, Lenox branch, among the Bancroft manuscripts. On the Bancroft copies are headings prepared for Mr. Bancroft's use. These headings suggest what, in the writer's opinion, the papers refer to, and these indications have been of considerable service in the task of examining and arranging the notes for publication. In several instances the statements in the headings have not been followed in the arrangement of the papers as here printed. Such of the following papers as are now in the possession of the Library of Congress are called the Paterson Papers, and that designation is here retained as a heading to all of these documents. It should be noted, however, that two of these documents are in the handwriting of Brearley.

David Brearley (1745-1790), one of Paterson's colleagues in the Federal Convention, had been a lieutenant-colonel of the New Jersey line under General Sullivan. From 1779 till 1789 he was chief-justice of New Jersey, and from 1789 till his death judge of the United States District Court for that state. He signed the Constitution and was a member of the state convention that ratified it.²

Some of these notes will probably prove of little significance to the reader. In spite of this it has seemed well to publish them, because anything referring to the Federal Convention, and especially to the great central controversy, is of interest to students. Even though material of this kind may at first seem interesting rather than significant, it often happens that the special investigator will find in it meaning at first not appearing. It must be said, however, that many of these notes will probably prove valuable to the student of the Convention's work. They help to bring out with distinctness the character of the controversy between the advocates of the

¹ Hampton L. Carson, *The Supreme Court of the U. S.* (Philadelphia, 1892), 184; L. Q. C. Elmer, *The Constitution and Government of the Province and State of New Jersey* (Newark, 1872), 88-94.

² For a biography of Brearley see Elmer, 274.

Virginia and the New Jersey plans, and they certainly throw light on the character of Paterson's arguments.

The notes were not made in accordance with any definite system as were those of Madison. They are not so coherent and well-arranged as even those of Yates, King, or Pierce. In a few cases Paterson, following the speakers, made brief abstracts of their speeches in order to emphasize the thoughts that he considered most important. Other notes were prepared merely as memoranda for a reply to an opponent. In some cases there appear in the same memorandum to be references to speeches made on different days; for example, the papers that seem to be notes for Paterson's speech of June 9 likewise include, apparently, mention of what Butler said on June 11. It is not impossible, therefore, that Paterson sketched out these thoughts for his speech, and, after he had spoken, inserted any remarks that had been made in opposition in order that he might make cogent reply. If this is not the case, and the explanation does not seem very satisfactory, then he simply jotted down thoughts for a speech, and for the purpose of argument inserted the statements of others as he remembered them. He worked over his argument at various times, and thrust into his outline the words of others on which he intended to comment.

I. NOTES OF THE VIRGINIA PLAN, MAY 29.¹

Gov^r Randolph —

Propositions founded upon republican Principles.

1. The Articles of the Conf^{da} should be so enlarged and corrected as to answer the Purposes of the Instⁿ.

2. That the Rights of Suffrage shall be ascertained by the Quantum of Property or Number of Souls — This the Basis upon which the larger States can assent to any Reform.

Objⁿ — Sovereignty is an integral Thing — We ought to be one Nation —²

3. That the national Leg^r should consist of two Branches —

4. That the Members of the first Branch should be elected by the People, etc. This the democrattick Branch — Perhaps, if inconvenient, may be elected by the several Leg^{rs} —

¹ Cf. *Documentary History of the Constitution*, III. 17-20. The original of this paper is in the possession of Miss Emily K. Paterson, of Perth Amboy, New Jersey. It is evidently a condensation, perhaps hastily made, of Randolph's plan presented to the convention May 29.

² The purport of this interpolated comment is not plain; but it would seem to be the center of what Paterson afterward contended for, *viz.* the convention could not divide up the sovereignty of the states; if there was to be one nation, the states must be thrown together.

5. Members of the 2^d Branch to be elected out of the first — to continue for a certain Length of Time, etc. To be elected by Electors appointed for that Purpose —

6. The Powers to be vested in the national Leg^t — A negative upon particular acts, etc. contravening the Articles of the Union — Force —

7. A national Executive to be elected by the national Leg^t

Checks upon the Leg^t and Ex. Powers —

1. A Council of Revision to be selected out of the ex. and jud^t Departments, etc.¹

2. A nat^l Judiciary to be elected by the nat^l Leg^t — To consist of an inferior and superior Tribunal — To determine Piracies, Captures, Disputes between Foreigners and Citizens, and the Citizen of one State and that of another, Revenue-matters, national Officers —

1. Provision for future States —

2. A Guar^t by the United States to each State of its Territory, etc.

3. Continuation of Congress till a given Day.

4. Provision, that the Articles of national Union should be amended —

5. That the leg. ex. and jud^t Officers should be bound by Oath to observe the Union.

6. That Members be elected by the People of the several States to ratify the Articles of national Union —

II. REPORT OF THE COMMITTEE OF THE WHOLE, JUNE 13.²

Report of the Committee of the whole House

1. Resolved, that [*it is*] the [*opinion of this Committee* of the U. S.

that a *National*] Government [^] ought to [*be established*] consist [*ing*] of a Supreme Legislative, Judiciary, and Executive.

2. Resolved, that the [*National*] Legislature ought to consist of two branches.

3. Resolved, that the Members of the first Branch of the of the United States [(*National*)] Legislature [^] ought to be elected by the People

¹ Beginning with this note the remaining eight resolutions of the fifteen are summed up, though not numbered as in the plan.

² This paper is in the handwriting of David Brearley. It is indorsed "Report of Committee 12 June 1787" in Brearley's handwriting. The committee, as a matter of fact, did not report until June 13. The interlineations and erasures as here represented admirably illustrate the subjects under discussion and the changes made in the report. Erasures are bracketed and in italics. Evidently Brearley, using the report of the Committee of the Whole, or more properly his copy of the report, made changes in it in the course of the succeeding debates.

Agreed — 7 A. 3 No
divided

9 A 1 n - 1 Divided.

5 A. 5 no. 1 divided
lost

two to be of the Age of the several States, for the term of *three* years; [^] [to receive of 25 years at least : *fixed Stipends, by which they may be compensated for the devotion of their time to Public Service—to be paid out of the Public* and incapable of holding, *National Treasury;*] to be ineligible to, [^] any Office [*established by a particular State, or*] under the authority of the United States (except those peculiarly belonging to the functions of the first Branch) during the term of service, [^] [*and under the National Government for the space of one year after its expiration.*]

4. Resolved, that the Members of the second Branch of the U. S.

the [*National*] Legislature [^] ought to be chosen by the individual Legislatures: to be of the Age of 30 years, at least; of six years, one third of whom to go to hold their Offices for the Term [^] [*sufficient to ensure their out of office biennially ; compensation for independancy namely of seven years.*]—to receive [^] [*fixed Stipends, by which they may be compensated for*] the devotion of their time to public service,—to be paid out of the National Treasury.

To be ineligible to any office established by a particular State, or under the authority of the United States (except those peculiarly belonging to the functions of the second Branch) during the term of service, and under the National Government for the space of one year after its expiration.

agreed to without
amendment.

5. Resolved, that each Branch ought to possess the right of originating Acts. possess

6. Resolved, that the National Legislature ought to [*be empowered to enjoy*] the Legislative Rights vested in Congress by the Confederation; and moreover to Legislate in all cases to which the separate States are incompetent, or in which the harmony of the United States may be interrupted by the exercise of individual Legislation,—to negative all laws passed by the several States contravening, in the opinion of the National Legislature, the Articles of Union, or any Treaties subsisting under the Authority of the Union.

carried 6. ay. 4 no
1 divided

7. Resolved, that the Right of suffrage in the first Branch of the National Legislature ought *not* to be according to the Rule established in the Articles of Confederation, but according to some equitable Ratio of representation, namely, in proportion to the whole number of White and other free Citizens and Inhabitants, of every Age, Sex and Condition, including those bound to servitude for a Term of Years, and

three fifths of all other persons, not comprehended in the foregoing discription, except Indians not paying Taxes in each State.

8. Resolved, that the right of suffrage in the second Branch of the Nation^l Legislature ought to be according to the rule established for the first.

9. Resolved, that a National Executive be instituted, to consist of a *single person* to be chosen by the National Legislature for the term of seven years, with Power to carry into execution the National Laws — to appoint to Offices in cases not otherwise provided for; to be ineligible a second time; and to be removable on Impeachment and Conviction of Mal-Practice, or neglect of duty. To receive a fixed stipend by which he may be compensated for the Devotion of his time to public service; to be paid out of the National Treasury.

10. Resolved, that the National Executive shall have a Legislative right to negative any [*National*] Act, which shall not be afterwards passed unless by two third parts of each Branch of the National Legislature.

11. Resolved, that a National Judiciary be established, to consist of one Supreme Tribunal, — the Judges of which to be appointed by the second Branch of the National Legislature; to hold their offices during good behaviour and to receive punctually at stated times, a fixed compensation for their services, in which no increase or diminution shall be made, so as to affect the persons actually in office at the time of such increase or diminution.

12 Resolved, that the Nat^l Legislat^o be empowered to appoint inferior Tribunals.

13 Resolved, that the Jurisdiction of the National Judiciary shall extend to cases which respect the collection of the National Revenue; — Impeachments of any National Officers, and questions which involve the Na^l peace and harmony.

14. Resolved, that Provision ought to be made for the admission of States, lawfully arising within the limits of the United States; whether from a voluntary Junction of Government and Territory, or otherwise, with the consent of a Number of Voices in the National Legislature less than the whole.

15. Resolved, that provision ought to be made for the continuance of Congress and their Authorities and privileges, until a given day after the reform of the Articles of Union shall be adopted; and for the completion of all their Engagements.

16. Resolved, that a Republican Constitution, and its

existing laws, ought to be garraunteed to each State, by the United States

17. Resolved, that provision ought to be made for the amendment of the Articles of Union, whensoever it shall seem necessary.

18. Resolved, that the Legislative, Executive, and Judiciary Powers within the several States, ought to be bound by Oath, to support the Articles of Union.

19. Resolved, that the amendments which shall be offered to the Confederation, by the Convention, ought at a proper time or times, after the Approbation of Congress, to be submitted to an Assembly or Assemblies of Representatives, recommended by the several Legislatures, to be expressly chosen by the People to Consider and decide thereon.
[Indorsement: Report of Committee 12 June 1787]

III. NOTES APPARENTLY USED BY PATERSON, IN PREPARING THE NEW JERSEY PLAN, JUNE 13-15.

A.

1. Resolved, That a union of the States merely federal ought to be the sole Object of the Exercise of the Powers vested in this Convention.¹

2. Resolved, That the Articles of the Confederation ought to be so revised, corrected, and enlarged as to render the federal Constitution adequate to the Exigencies of Government, and the Preservation of the Union —²

3. Resolved, That the federal Government of the United States ought to consist of a Supreme Legislative, Executive, and Judiciary —

¹ This resolution is partly stricken out in the original. Jameson says these five resolutions may not improbably be attributed to John Lansing, Jr., of New York. He also says that it will be plainly seen that it represents an early stage of the Paterson plan. The fifth resolution is especially noteworthy. "In short," says Jameson, "we have in this document a *Vorschrist* for the New Jersey plan, drawn up by a man or men who were willing to go but little beyond" the schemes earlier proposed. *Ann. Rep. Am. Hist. Assoc.*, 1902, I. 142.

² This resolution is thus given in Madison's notes, *Documentary History*, III. 125. It is the first resolution of Paterson's plan as there given. Jameson argues (p. 137) that this could not have been the first of Paterson's resolutions as finally presented. His evidence is probably conclusive; and yet it should be noticed that the resolution offered by Dickinson, "That the Articles of Confederation ought to be revised and amended, so as to render the Government of the United States adequate to the exigencies, the preservation, and the prosperity of the Union," would not be acceptable to either party. Paterson's supporters would wish to retain the words "federal Constitution." Is not Dickinson's motion characteristic?

4. Resolved, That the Powers of Legislation ought to be vested in Congress.¹

5. Resolved, That in Addition to the Powers vested in the United States in Congress by the present existing Articles of Confederation, they be authorized to pass Acts for levying a Duty or Duties on all Goods and Merchandize of foreign Growth or Manufacture imported into any Part of the United States not exceeding per Cent. ad Valorem to be applied to such federal Purposes as they shall deem proper and expedient, and to make Rules and Regulations for the Collection thereof; and the same from Time to Time to alter and amend in such Manner as they shall think proper. Provided, That all Punishments, Fines, Forfeitures, and Penalties to be incurred for contravening such Rules and Regulations shall be adjudged and decided upon by the Judiciaries of the State in which any Offence contrary to the true Intent and Meaning of such Rules and Regulations shall be committed or perpetrated; subject nevertheless to an Appeal for the Correction of any Errors in rendering Judgment to the Judiciary of the United States.

That the United States in Congress be also authorized to pass Acts for the Regulation of Trade as well with foreign Nations as with each other, and for laying such Prohibitions, and such Imposts and Duties upon Imports as may be necessary for the Purpose; Provided, That the Legislatures of the several States shall not be restrained from laying Embargoes in Times of Scarcity; and provided further that such Imposts and Duties so far forth as the same shall exceed . . . per Centum ad Valorem on the Imports shall accrue to the Use of the State in which the same may be collected²

Imposts Excise —
Stamps — Post-Office —
Poll-Tax —

B.³

1. Resolved, That the articles of the confederation ought to be so revised, corrected, and enlarged as to render the federal constitution adequate to the exigencies of government, and the preservation of the union —

2. Resolved, That the alterations, additions, and provisions made in and to the articles of the confederation shall be reported to the united states in congress and to the individual states composing the union, agreeably to the 13th article of the confederation —

¹ See Jameson, *loc. cit.*, 140-141.

² This resolution is somewhat similar to the second resolution as given in Madison's notes, *Documentary History*, III. 125, and in the Brearley copy, *ibid.*, I. 322. Either no more was written of this paper or Paterson copied no more, Jameson, *loc. cit.*, 142.

³ This goes farther than A and marks a later stage of the plan.

3. Resolved, That the federal government of the united states ought to consist of a supreme legislative, executive, and judiciary —

4. Resolved, That the powers of legislation be vested in Congress —

See Mr. Lansing—

See Gov. Randolph's.

7th Prop.

Same—th

5.

6.

7.

Resolved, That every State in the Union as a State possesses an equal Right to, and Share of, Sovereignty, Freedom, and Independance —

Resolved, therefore, that the Representation in the supreme Legislature ought to be by States, otherwise some of the States in the Union will possess a greater Share of Sovereignty, Freedom, and Independance than others —

Whereas it is necessary in Order to form the People of the U. S. of America into a Nation, that the States should be consolidated, by which Means all the Citizens thereof will become equally intituled to and will equally participate in the same Privileges and Rights, and in all waste, uncultivated, and back Territory and Lands; it is therefore resolved, that all the Lands contained within the Limits of each State individually, and of the U. S. generally be considered as constituting one Body or Mass, and be divided into thirteen or more integral Parts.¹

Resolved, That such Divisions or integral Parts shall be styled Districts.

C.

Reproduced in facsimile on page 319. A copy by Paterson of the first four resolutions, but not numbered, and without the erasures and interlineations found in B. Aside from minor variations, C differs from B only in the second resolution, where "shall" is changed to "ought to."²

¹ To account for such a proposition as this in connection with the New Jersey plan is a matter of some difficulty. In the original paper this resolution is so written as undoubtedly to be joined with the preceding. Otherwise it might seem to be a mere sporadic note. Reference is evidently made to this in other notes and memoranda below. See also Brearley's speech of June 9, where the erasure of state boundaries is advocated, and Paterson's reference to the same idea, *Doc. Hist.*, III. 196, 97. See also especially Madison's speech of June 19. It is apparent that Paterson and Brearley proposed this as the only way of doing justice to the large states and securing the safety of the small states. *Ibid.*, III. 161.

² See Jameson, *loc. cit.*, 142.

Resolved, That the articles of the confederation ought to be so revised, corrected, enlarged as to render the federal constitution adequate to the exigencies of government, and the preservation of the union —

Resolved, That the alterations, additions, and provisions made in and to the articles of the confederation ought to be reported to the united States in congress and to the individual States composing the union, agreeably to the thirteenth article of the confederation —

Resolved, That the federal government of the united States ought to consist of a Supreme legislature, executive, and judiciary.

Resolved, That the Powers of Legislation be vested in Congress —

IV. NOTES FOR SPEECHES.¹A. *Notes for Speech of June 9.*²

1. The Plan.
2. The words national and federal.
3. Collection of Sentiment — Object, to take under Consideration the State of the American Union —

Consider the Nature and Construction of this Assembly. Formed under the act of Congress passed in Conformity with one of the Articles of the Confedⁿ

See the Com.ⁿ from Mass^a

Assumption of Power —

The Com.ⁿ measures our Power — to revise the Confedⁿ to report to Congress and the several Leg^s — must not go beyond our Powers —

Self-constituted and self-ordained Body.

The Com.^s give the political Complexion of the several States — not ripe — we must follow the People; the People will not follow us — The Plan must be accommodated to the public Mind — consult the Genius, the Temper, the Habits, the Prejudices of the People.

A little practicable Virtue to be preferred to Theory.

Not to sport Opinions of my own — not to say w^t is the best Gov^t or what ought to be done — but what can be done — w^t can we do consistently with our Powers; w^t can we do that will meet with the Approbation of the People — their Will must guide —

Insurrections — So there are in every Gov^t — even in England — it may shew, that our particular Systems are wrong — that our Instⁿs are too pure — not sufficiently removed from a State of Nature to answer the Purposes of a State of Society — it will not militate ag^t the democrattick Principle when properly regulated and modified —

The democrattick Spirit beats high —

Not half wrong enough to have a good Gov^t —

¹ The notes numbered A-E are in the Bancroft copies marked "Notes for speech of 9 June," but it is by no means clear that all these are notes for the speech of that day. Apparently Paterson worked over his argument several times, and the burden of his thought was somewhat consistently the same: the want of power in the Convention; the unreadiness of the people to support a plan for a consolidated government; the maintenance of the equality of the states. In the notes of Madison, Pierce, King, and Yates we find no indication that Gouverneur Morris made a speech on the ninth. The words in A given in connection with the name of Morris appear again in B.

² This document is in the possession of Miss Emily K. Paterson.

³ Commission.

2. The Plan proposed — The 1st Prop.^a withdrawn¹ — it was incompatible with the 2^d. The Principles were gradually unfolded —

W^t Q^y of Land—

The 1 Prop.^a accords with the Spirit of the Const^a

Each State is sovereign, free, and independ^t etc. Sovereignty includes Equality —

If then the States in Union are as States still to continue in Union, they must be considered as Equals —

13 sovereign and independent States can never constitute one Nation, and at the same Time be States — they may by Treaty make one confederated Body —

M^r Randolph — We ought to be one Nation — etc. The States as States must be cut up, and destroyed — This is the way to form us into a Nation² — It has Equality — it will not break in upon the Rights of any Citizen — it will destroy State Politicks and Attachm^{ts}. Will it be acceded to, etc.

G. Morris — Every Citizen should enjoy a rateable Proportion of Sovereignty —

The Mind of Man is fond of Power —

Enlarge his Prospects, you increase his Desires — Proportion of Votes — State-Politicks, State-Attachments, State-Influence, State-Passions — Districts —

Great Britain and America — Suppose Represent^a from the latter before the Revolutⁿ according to the Quantum of Property or Number of Souls — W^t the Consequence —

3 Article⁴ — Com. Defence, Security of Liberty, mutual and general Welfare.

A national Gov^t to operate individually upon the People in the first Instance, and not upon the States — and therefore a Representation from the People at large and not from the States —

Will the Operation of the nat^l Gov^t depend upon the Mode of Represent^a — No — it depends upon the Quantum of Power lodged in the leg. ex. and jud^t Departments — it will operate individually in the one Case as well as in the other —

Why not operate upon the States — if they are coerced, they will in Turn coerce each individual —

¹ Evidently referring to Randolph's first proposition as contradicting the second. The first resolution of Randolph is distinctly like the first of Paterson's as the Paterson plan appears in Madison's notes, *Doc. Hist.*, III. 125. Paterson was here contending that Randolph's original first proposition was constitutionally sound, *i. e.* in conformity with the Articles.

² Apparently a reference to the idea later embodied in the resolution in III. B, above, page 318. See also Paterson's speech of June 9.

³ Randolph used this expression June 2. See Pierce's notes, *AM. HIST. REV.*, III. 322.

⁴ Referring to the third article of the Articles of Confederation.

Fœtus of a
Monarch —³

An infant Hercules
in his Cradle —

Let the People elect the State-Leg^t. — The State-Leg^t elect the federal Leg^t. — assign to the State Leg^t its Duty — the same to the federal — they will be Checks upon each other, and the best Checks that can be formed — Cong. the Sun of our political System —

Why a Representation from the People at large — to equalize Representⁿ. Maj^r Butler — Representⁿ — Property — People —

M^r Wilson — Majority of the States sufficient. This in Opposition to M^r King —

2 Views. 1. Under the Confedⁿ — 13th Article — Rhode-Island. 2. As forming an original Combinⁿ or Confederacy — can bind the contracting Parties only —

The large States can agree upon a Reform only upon the Principle of an equal Representⁿ.¹

11 Propⁿ.²

If the lesser States form a Junction of Gov^t and Territory, the G^r³ ceases to operate as to them — This will prevent a Consolidⁿ of Gov^t and Territory —

The People will likewise prevent any new State from being taken from the old — Vermont — Kentucky — several in Embryo — Republicks — Monarchies — large Frontiers.

B. Notes for Speech of June 9.

1. The Confederation — its leading Principle. unanimously assented to —

2. The Nature and Construction of this Assembly. Formed under the Confedⁿ Resⁿ of Congress — The Comⁿ measures our Power — it gives the political Complexion of each State — to revise the Confedⁿ.

Must not go beyond our Powers — People not ripe —

A little practicable Virtue to be preferred to Theory.

What expected — Regulation of Commerce, Collⁿ of the Revenue, Negative, etc. this will draw after it such a Weight of Influence and Power as will answer the Purpose — they will call forth the dormant Powers —

3. The Plan proposed. The 1 Propⁿ withdrawn — it was incompatible with the 2^d.⁴ Much Dispute about Distⁿ between federal and National Governments. The Principle was gradually unfolded —

¹ So the original plainly says. Possibly Paterson meant to write unequal; or by "equal" he meant just or proportional.

² Referring to the eleventh proposition of the Virginia plan: "Res^d, that a Republican Government and the territory of each State, except in the instance of a voluntary junction of Government and territory, ought to be guaranteed by the United States to each State."

³ Guaranty.

⁴ See above, page 321, note 1.

W^t Q^r of Land, etc
they approach each other,
etc.

The 1 Propⁿ accords with the Spirit of the Confedⁿ Each State is sovereign, free, and independent etc. The Idea of a Supreme, and the Maxim Imperium in Imperio —

If then the States in Union are as States still to continue in Union, they must be considered as Equals, etc.

13 sovereign and independant states can never constitute one Nation ; they may by Treaty make one confederated Body —

M^r Randolph — we ought to be one Nation — 2 Article¹ — 5th Article¹ —

G. Morris — Every Individual should enjoy a rateable Proportion of Sovereignty —

Districts —

3 Article¹ — Common Defence, Security of Liberty, mutual and general Welfare — Proportion of Votes.

11 Propⁿ

If the lesser States form a Junction of Gov^t and Territory, the G^t ceases to operate as to them — This will prevent a Consolⁿ of Gov^t and Territory —

The Propⁿ will likewise prevent any new States from being taken from the old — Vermont, Kentucky — Several in embryo — Republics — Monarchies — large Frontiers —

The large States can agree to a Reform only upon the Principle of an Equality of Representⁿ

In what we are all agreed —

C. Notes for speech of June 9.

Mass.

“ for the sole and express Purpose of revising the Articles of Confⁿ and reporting to Congress and the several Leg^t such Alterations and Provisions therein as shall when agreed to in Congress and confirmed by the States render the federal Constⁿ adequate to the Exigencies of Government and the Preservⁿ of the Union.”

Connect^t as above —

Jersey, etc

Georgia,

States. ¹	Quota of Tax.	Delegates.
Virginia.....	512,974.....	16.
Massachusetts.....	448,854.....	14.
Pennsylvania.....	410,378.....	12. $\frac{3}{4}$. 42 $\frac{3}{4}$
Maryland.....	283,034.....	8. $\frac{3}{4}$.

¹ Evidently a reference to the second, fifth, and third articles of the Articles of Confederation.

² This table is printed in *Doc. Hist.*, I. 331, except that the column giving quotas is not footed here. It is there dated “Sep^r 27th 1785,” and indorsed “hon. D. Brearly Esq.”

<i>States.</i>	<i>Quota of Tax.</i>	<i>Delegates.</i>
Connecticut.....	264,182.....	8-
New York	256,486.....	8-
North Carolina	218,012.....	6¾.
South Carolina	192,366.....	6-
New Jersey	166,716.....	5-
New Hampshire	105,416.....	3¼.
Rhode Island.....	64,636.....	2-
Delaware	44,886.....	1¼.
Georgia	32,060	1.
		90-

D. *A Fragment, possibly connected with Paterson's Speech of June 9.*

Ambition goads him on. The Impulse is progressive — enlarge his Prospects, and you enlarge his Desires. As to orders — as to Societies. Mithradates — Com. Defence — Liberty.

M^r Madison — Districts.

M^r King.

Guarranty.

Nature of Gov^t.

So corrected and enlarged.

Regulation of Commerce,
the Collection of Revenue.

Negative in particular Cases.

To promote the general Welfare, to protect Liberty and Property.

Cr. Lands.

E. *Notes for Speech of June 9.*

1 — Great Britain and America — Representⁿ from the latter before the Revolution according to the Number of Souls — W^t the Consequence.¹

2. Representation from the People at large and not from the States² —

3. National Govern^t to operate individually upon the People in the first Instance, and not upon the States³ —

Durability.

¹ Apparently referring to the argument used in his speech of June 9: "It was once proposed by Galloway and some others that America should be represented in the British Parl^t and then be bound by its laws. America could not have been entitled to more than ⅓ of the N^o of Representatives which would fall to the share of G. B. Would American rights and interests have been safe under an authority thus constituted?" Madison's notes, in *Documentary History*, III. 98.

² *Ibid.*

³ *Ibid.*

F. Notes for Speech of June 16.¹

1. Because it accords with our Powers. Suppose an Attorney. Who can vote ag^t it — If Confedⁿ cannot be amended, say so — The Experim^t has not been made.

2. Because it accords with the Sentiments of the People.

1. Com.^a

2. News-papers — Political Barometer. Jersey never would have sent Delegates under the first Plan —

Not to sport Opinions of my own. W^t can be done. A little practicable Virtue preferable to Theory.

1. As States — independant of any Treaty or Confedⁿ —

Each State is sovereign, free, and independant — Sovereignty includes Equality. We come here as States and as Equals — Why vote by States in Convention — We will not give up the Right —

M^r Wilson — A Principle given up in the first Confedⁿ²

2. As under the existing Articles of the Confedⁿ

5th Article — unanimously entered into.

Back Lands — Jersey — Maryland —³

A Contract. The Nature of a Contract. Solemnly entered into — Why break it — why not the new or present one be broke in the same Manner —

Convenience.

The last Clause in the Confedⁿ —

Some of the States will not consent —

Self-Destruction.

Hitherto argued upon Principle — as States — as subsisting Treaties — The Danger to the lesser States — The Natural Progress of Power — Combination of Parts — Orders — States — Proportion of Votes — State-Politicks and Attachments — Great Britain and America —

Objⁿ The larger States contribute most, and therefore Representⁿ ought to be in Proportion —

No — they have more to protect.

2. For the Sake of preserving the Liberty of the others —

3. Wealth will have its Influence —

Objⁿ — M^r Wilson⁴ — first Principles — All Authority de-

Abolition of the lesser States —

A rich State and poor State in same Relation as a rich Individual and a poor one.

¹ This document is in possession of Miss Emily K. Paterson.

² Wilson, according to Madison's notes, made use of some such expression in his speech of June 9, *Doc. Hist.*, III. 99.

³ "It was the small ones that came in reluctantly and slowly. N. Jersey and Maryland were the two last, the former objecting to the want of power in Congress over trade: both of them to the want of power to appropriate the vacant territory to the benefit of the whole." Paterson, June 16, as condensed by Madison, *Ibid.*, 131.

⁴ Reference is made here and in many of the succeeding arguments to Wilson's speech of June 9, *Doc. Hist.*, III. 99.

rived from the People — The People entitled to exercise Authority in Person. One free Citizen ought to be of equal Importance with another — true — One free State of equal Importance with another — Both true when properly applied. The Beauty of all Knowledge consists in the Application —

One free Citizen ought to be of equal Importance with another — they are Members of the Society, and therefore true — England and Switzerland. Pennsylv^a and Jersey — they have the same Privileges, partake in the same common Stock, for Instance, in back and unlocated Lands. The Gen^l soon found out the Diff^y between a Pennsylv^a and a Jersey-Man when we talked of Consolidⁿ then the Pennsylv^a gave up $\frac{1}{3}$ — No ; no — A Nation, when it is necessary to go by Majority of Votes, a State, when it is necessary to divide the common Stock —

A large County and a
small County —¹

Equalize the States — No Harm — no Hurt. No authority for that Purpose — and then it is impracticable —

Authority — Why talk of the first set of Propositions —

Impracticable — how does that appear — Make the Experiment — Propose the Measure to the Consideration of the States —²

Objⁿ — There must be a national Governm^t to operate individually upon the People in the first Instance, and not upon the States — and therefore a Representation from the People at Large and not from the States —

1. Will the Operation and Force of the Gov^t depend upon the mode of Representⁿ — No — it will depend upon the Quantum of Power lodged in the leg. ex. and jud^l Depart-

¹ Perhaps referring to Williamson's speech of June 9, which he made in answer to Paterson, *Doc. Hist.*, III. 100.

² Paterson's argument in these paragraphs may be this : The gentlemen are desirous of making a nation ; but when we propose consolidation by a redivision of the states so that the parts may be equal, then it is apparent that Pennsylvania would lose a portion, one-third, of its land. They are for a nation, when it is a question of voting, but they are for the state when a division of the land is proposed, or a division of the common stock. Let us try the plan of equalizing the states. No harm will be done. Gentlemen argue that they have no authority. If they are hesitating because of want of authority, why do they talk of the Randolph plan ? They have no authority to propose those measures either. Why is it argued that it is impracticable to throw the land into a common stock and divide the states anew ? How does that appear ? Make the experiment. Propose the measure to the consideration of the states.

If Paterson and Brearley had this scheme as much in mind as it would appear they had, it is apparent that they were not quite so determined as some to adhere to the principle of the Confederation as the *only* solution. There came out distinctly the old small state jealousy and above all the interminable land question which had agitated the states almost from the beginning of the war.

ments — it will operate individually in the one Case as well as in the other —

2. Congress are empowered to act individually or to carry the Req^t into Execⁿ in the same Manner as is set forth in the first Plan —

3. If not, it may be modified to answer the Purpose.

4. If it cannot be done, better than to have some States devoured by others —

Objⁿ — Congress not sufficient — there must be two Branches — a House of Delegates and a Senate; why, they will be a Check — This not applicable to the supreme Council of the States — The Representatives from the several States are Checks upon each other.

In a single State Party Heat and Spirit may pervade the whole, and a single Branch may of a sudden do a very improper Act — A second Branch gives Time for Reflexion; the Season of Calmness will return, etc. Is this likely to be the Case among the Representatives of 13 States —

What is the Fact — Congress has hitherto conducted with great Prudence and Sagacity — the People have been satisfied — Give Congress the same Powers, that you intend to give the two Branches, and I apprehend they will act with as much Propriety and more Energy than the latter.

The Chance for Wisdom greater — Refinement — Secrecion —

The Expence will be enormous —

Congress the Sun of our political World.

G. Notes, probably for a Speech not delivered.¹

1. The Equality of the States — Sovereignty and Equality are convertible Terms. Pennsylv^a a distinct political Being —

2. As under the existing Articles of the Confedⁿ A Contract solemnly entered into.

3. The Danger to the lesser States.

4. The Impracticability of the present System.

5. Its Expence —

It must be admitted, that before a Treaty can be binding, each State must consent.

¹ This document is in the possession of Miss Emily K. Paterson. These notes are in one document, and it has not seemed wise to separate them. On the Bancroft copies the first portion, *i. e.* to the words "Objⁿ M^r Wilson — The Minority," is headed "Notes for speech of 16 June"; what follows is headed "Notes of Wilson's of 30 June; Madison's of 19 June; King's of 30 June cf. Elliot V." A comparison with the notes given below in V. E, page 336, belonging to June 30, seems to show that the remarks of Madison, as well as those of Wilson and King as here given were made on June 30.

Objⁿ —

The larger States contribute most — and therefore Representⁿ ought to be in Proportⁿ

1. Ans^r They have more to protect. A rich State and a poor State in same Relation as a rich Individual and a poor one.

2. For the Sake of preserving the Liberty of the others — Compromise — Their System.

3. Wealth will have its Influence.

Objⁿ M^r Wilson — The Minority will vote away the Property of the Majority.

Ans^r This secured by the first Branch —¹

The Majority will vote away the Liberties of the Minority²

— W^t is Wealth when put in Competition with Freedom —

Madⁿ Coercion never
can be used ag^t a large
State.

The lesser States will destroy the larger — Lamb and Lyon —

Objⁿ M^r Maddison — The Confedⁿ inadequate to its Purposes. Repeated Violations in every State — Each Violation renders the Confedⁿ a Nullity —³

1 No. The same Power to rescind as to make. It would be in the Power of one Party always to abrogate a Compact.

Objⁿ M^r Maddison — The Confedⁿ obtained by the Necessity of the Times.

Is the Plea of Compulsion set up. Look at the Confedⁿ unanimously assented to — M^r Wilson given up — Not complained of — We come here under that Confedⁿ

Objⁿ M^r King — Equality is the Vice of the present System. How does it appear —

Objectⁿ — M^r King⁴ — The great Charter of England — Certain constitutional Principles to be observed. — Power in the Mag^z to prevent a Violation of fundamental Principles — Union of England and Scotland.

1. A Union or Consolidation — this a Confederacy.

2. It was to be sure agreed to — Bribery made use of —

3. A King.

4. The Vicinity of France —

The last Time of Meeting —

H. Notes apparently for Speech of July 9.

Number of Inhabitants.

New Hampshire in 1774.....100,000.

Massachusetts in 1774.....400,000.

¹ This would seem to make it plain that this note was made after June 29.

² This probably from Ellsworth.

³ A reference to V. E, below and to *Doc. Hist.*, III. 253, will show that this is a part of Madison's speech of June 30.

⁴ *Doc. Hist.*, III. 262.

Rhode-Island by a Return to the Legislature in Feb ^r 1783.		
48.538 Whites.	}	51.869.
3.331 Blacks.		
Connecticut in 1774.....		
Whites 192.000.	}	198.000.
Blacks (nearly) 6.000.		
in 1782 nearly.....		220.0.0.
New York in 1756. 96.775.		
in 1771. 168.000.	}	238.885.
in 1786. Whites 219.996.		
Blacks 18.889		
New Jersey in 1783.		
about 10,000 Blacks included—		139.000.
Pennsylvania—		
Delaware—		
Maryland in 1774 estimated at.		
Blacks 3/7.....		350.000.
150.000.		
Virginia in 1774.....		
Blacks as 10 to 11... ..		650.000.
300.000.		
In the lower States the acc ^{ts} are not to be depended on —		

The Proportion of Blacks.

In Connecticut as 1. to 33.
 The same Ratio will answer for Massachusetts —
 In Rhode-Island as 1 to 15 1/2.
 In New York as 1 to 12 nearly.
 In New Jersey as 1 to 13 nearly.

20.1
 40.1
 80.1
 160.1

Virginia.....	9.	10
Mass ^a	7.	8
Pennsylv ^a	8.	8
Maryland.....	4.	6.
Connecticut.....	4.	5.
New York.....	5.	6.
N. Carolina.....	5.	5.
S. Carolina.....	5.	5.
N. Jersey.....	3.	4.
New Hamsphire.....	2.	3.
Rh. Island.....	1.	1
Del.	1.	1
Georgia.....	2.	3.
	56.	65 ¹

¹ The first column shows the representation according to Morris's report of July 9; the second that provided for by King's report from committee, July 10.

4 East ^a States	17.
5 Middle States	25.
4 South ^b States	23.
	65

V. NOTES ON DEBATES.

A. *Notes on Debate of June 9.*¹M^r Brearley.

unfair ; because of the Combination of the Parts.
Districts—

M^r Wilson —

Equalize the States—

All Authority is derived from the People—the People entitled to exercise Authority in Person — Italy — Roman Citizens —

2 Things necessary—1. That the Representatives express the Sentiments of the represented. 2. That the Sentiments thus expressed should have the same Operation as if expressed by the People themselves —

Numbers the best Estimate of Property. One free Citizen ought to be of equal Importance with another.

One Mass — 13 — it will be given away 1/3 of the Territory —

No Authority — it is besides impracticable.

He wishes the Distinction of States might be destroyed.

A Principle given up in the first Confed^a

M^r W^m son.

It does not appear to him, that the lesser States will be swallowed up.

A small County, and a large County ; according to Numbers —

M^r MaddisonB. *Notes on Debate of June 11.*

Resolved, That the Rights of Suffrage in the first Branch of the national Leg^d ought not to be according to the Article of Confed^a, but according to some equitable Ratio of Representation —

Rutledge.

Not by the Number of free Inhabitants, but according to the Quotas of Contribution —

Dickinson —

The Terms, "Quotas of Contribution," very indefinite — it ought to be according to the *actual Contribution* —

W^m son.

Supposes, that there will not be any Assignment or Quotas to States ; the Governm^t to operate individually, and not on States —

Dickinson

The Power to be in Proportion to actual Contribution —

King —

Suppose an Impost—Connecticut and Jersey do not import — they will have no Representatives —

Butler.

This to be left to the State Leg^d — Sum to be proportioned —

¹ See *Documentary History*, III. 94 ff.

Wilson.

Either Rule good — by Numbers best to ascertain the Right of Representⁿ this agreeably to the Sentiments of 11 States — Impost alone will not be sufficient to answer the national Exigencies — Revenues arising from Postage — The present Quota not a lasting Rule — People to be numbered at fixed Periods — A Rule arising from Property and Numbers —

Gerry.

Rule of Taxation not the Rule of Representation — 4 might then have more Voices than ten — Slaves not to be put upon the Footing of freemen — Freemen of Mass^a not to be put upon a Footing with the Slaves of other States — Horses and Cattle ought to have the Right of Representⁿ Negroes — Mules —

Madison.

The Taxes must be drawn by the nat^l Governmt. immediately from the People ; otherwise will never be collected —

Leave the particular Rule for the present. A common Standard ought to be provided —

C. Notes on Debate of June 16.

Lansing —

Contrasts the Principles of the two Systems —

The national Plan proposes to draw Representⁿ from the People.

The federal Plan proposes to draw Representⁿ from the States.

The first will absorb the State-Governm^t

1. The Powers of the Convention.

2. The Probability as to the Adoption of either System —

Publick Acts — particularly the Act respecting the Impost.

Reasoning upon Systems unsupported by Experience generally erroneous —

Paterson.

Wilson¹

The Plans do not agree in the following Instances.

1. The Gov^t consists of 2 Branches.

to connect them together as States.

2. The original Authority of the People at Large is brought forward.

3. Representation to be according to the Number and Importance of the Citizens.

4. A single Executive.

5. A Majority of the United States are to control.

6. The national Leg. can operate in all Cases in which the State Leg. cannot.

7. The national Leg. will have a Right to negative all State-Acts contravening Treaties, etc.

8. Ex. Mag. removable on Conviction.

¹ We have here a new summary of Wilson's long and able speech of this date.

9. The Ex. to have a qualified Negative over Acts of the Leg^t —

10. Provision is made for superior Tribunals —

11. The Jurisdⁿ of the national Leg^t is to extend to all Cases of a national Nature.

12. National Peace, all Questions comprehending it, will be the Object of the national Judiciary —

13. Delegates to come from the People.

The relative Merit of the two Plans.

1. Upon Principles

2. Upon Experience.

3. The joint Result of both.

He can conclude finally Nothing; and to propose every Thing — he may propose any Plan —

Sentiments of the People; those with whom we converse we naturally conclude to be the Sentiments of the People.

States Sovereignments and State Governm^t not so much an Idol as is apprehended — a national Government to protect Property and promote Happiness, the Wish of the People.

Will a Citizen of New Jersey think himself honoured when addressed as a Citzⁿ of that State, and degraded when addressed as a Citizen of the U. S.

The People expect Relief from the national Councils; it can be had only from a national Governm^t —

Equalization—

A new Proposal thrown out for the Sentiments of the People.

Ad^t Powers ought not to be given to Congress. Objⁿ to that Body.

1. Congress as a legislative Body does not stand upon the Authority of the People.

2. Congress consists of but one Branch.

An equal Representⁿ in Proportion to Numbers.

Answ^r Citizens of the same State.

The Foundation, the Progress, and Principles of Representation — Look at England — Holland — the Vote of every Province necessary. L^d Chesterfield —

Impost opposed and defeated not by one of the large States —

The Consent of Rhode-Island will be necessary on the Jersey-Plan —

A single Leg^t

Despotism presents itself in several various Shapes — military Despot — ex. Despot — Is there no such Thing as a leg. Despot — The Leg. Authority ought to be restrained —

The Restraints upon the Leg^t must be such as will operate within itself — No Check in a single Branch —

Should have distinct and independant Branches — reciprocal Controul.

A single Executive — Triumvirate of Rome — 2 Triumvirate — Augustus rose superior — Sparta — Rome —

Pinckney —¹

If Jersey can have an equal Represent^t she will come into the Plan from Virginia —

Views — to amend the Confedⁿ if not amendable, then to propose a new Governm^t —

Solely recommendatory — Powers sufficient. Division of Territory ; not seriously proposed² — The due Settlem^t of the Importance of the States necessary — this done at present with Respect to Contribution.

England.

1 Congress unfortunately fixed on equal Representⁿ — they had not the Means of determining the Quota — If each State must have a Vote, each State must contribute equally —

Elsworth.

Randolph ³

1. Whether the Articles of the Confedⁿ can be so reformed as to answer the Purposes of a national Governm^t —

No Usurpation of Power in this Convention. The Spirit of the People in Favour of the Plan from Virginia —

Powers pursued ; if Powers wanting, we should do what is right.

Our Debts remain unpaid while the federal Gov^t remains as it is —

Delaware.

The 13th Article — provides for the alteration of the Articles, then of course for the Alteration of the 5th Article.

Annapolis.

Powers in a deliberate Assembly — ridiculous — We are only to compare Sentiments — Disdain Danger, and do what is necessary to our political Salvation — We must avail ourselves of the present Moment.

His Constituents will applaud, when he has done every Thing in his Power to relieve America —

No Provision ag^t foreign Powers or Invasions. no Mony nor Men — Militia not sufficient —

No Provision ag^t internal Insurrections. nor for the Maintenance of Treaties —

Coercion two Ways — 1. as to Trade — 2. as to an Army —

¹ This is considerably longer than the condensation of Pinckney's speech given by Madison. It has here also considerably more force and meaning. Cf. *Doc. Hist.*, III. 136.

² Once more a reference to Paterson's and Brearley's plan for consolidation.

³ An outline of Randolph's able speech of June 16. This throws light on some of Randolph's argument as condensed by Madison.

Legislation affecting Individuals the only Remedy. This Power too great to lodge in one Body —

Congress possess both Legislation and Execution —

The Variety of Interests¹ in the several States require a national Legislation ; or else there may be a Combination of States —

The Mode of electing Congress an Objⁿ — the Delegates will be under the Influence of its particular States.

Cabal and Intrigue of which such a Body as Congress may be capable. They are too numerous for an Executive.

No Provision under the Confedⁿ for supporting the Harmony of the States — their commercial Interests different

No provision for Congress to settle Disputes —

No Provision made or Power in Congress for the Suppression of Rebellion — no Troops can be raised — Congress ought not to have the Power of raising Troops.

A Navigation Act may be necessary — Give Power to whom — not to Congress — capable of Intrigue and Cabal ; Inadequacy of Representation ; Want of Confidence in Congress —

Divide leg. and ex.
Branches and then Doors
may be open —

Congress fallen considerably in their Reputation.

Doors not open in Congress.

This the last Moment ever will be offered² —

D. *Notes on Debates of June 27, 28, and 29.*³

June 27. 1787.⁴

Have those who upon the present plan hold $\frac{1}{13}$ part of the Votes, a $\frac{1}{13}$ part of the weight, — certainly not — upon this plan they sink to nothing

The Individual right of Citizens is given up in the State Gov^t they cannot exercise it again in the Gen^l Government.⁵

It has never been complained of in Congress — the complaint there is the want of proper powers.⁶

¹ That this argument is important in Paterson's mind is indicated by a hand on the margin of his notes pointing to this.

² "A Nat^l Gov^t alone, properly constituted, will answer the purpose ; and he begged it to be considered that the present is the last moment for establishing one. After this select experiment, the people will yield to despair." *Doc. Hist.*, III. 138.

³ In the handwriting of David Brearley.

⁴ According to Madison's notes, Martin alone spoke on this day, his speech lasting three hours. *Doc. Hist.*, III. 224.

⁵ This is undoubtedly the argument of Martin based on his notion that the state governments rested on compact.

⁶ Here Mr. Brearley has indicated by a hand the importance of the argument.

June 28th

M^r Martin resumed his argument.

The Gen^l Gov^t is not to regulate the rights of Individuals, but that of States. The Gen^l Gov^t is to Govern Sovereignities. then where the propriety of the several Branches — they cannot exist — there can be no such checks.

Amphictyonick Council of Greece represented by two from each town — who were notwiths^d the disp^a of the Towns equal — Rollins Ancient Hist. 4 Vol. pa. 79.

All the *Ancient* and *Modern* Confed^{ns} and Leagues were as *equals* notwithstanding the *vast* disproportions in size and wealth.

If the large States, who have got a Majority, will adhere to their plan, we cannot help it, but we will publish to the world our plan and our principles, and leave it to judge.

M^r Madison

Have we seen the Great Powers of Europe combining to oppress the small —¹

Yes — the division of Poland.

They talk in vague Terms of the great States combining etc²

M^r Williamson³

Wants to know how it is possible that the large States can oppress the small³

The rule to tax the States according to their numbers would be cruel and unjust — it would Create a war.

M^r Madison.

If you form the present Government, the States will be satisfied — and they will divide and sub-divide so as to become nearly equal —

June 29th

Doct. Johnson

If the States are represented as States — they must be represented as Individuals.

M^r Gorham —

New-Jersey ought not to oppose the plan, as she at present pays the Taxes of Penn. and N. York, from which she would be relieved.

M^r Madison

Will have the States considered as so many great Corporations, and not otherwise.

Col. Hamilton

That States have equal rights to vote, is not true It is estab^d by the Law of Nations that they have equal votes — but does it follow that they can not contract upon a different footing —

That the Gen^l Governm^t will act, not only, upon the States, but upon Individuals.

As long as the State influence is kept up there will be danger — but the influence will not be as great as is apprehended.

¹ A hand on the margin.

² In Madison's notes this speech precedes that of Madison. *Doc. Hist.*, III. 227.

³ A hand on the margin.

The small States have
had a lesson of State Hon-
esty

M^r Pierce.

M^r Gerry.

It is a contest for power in the weaker States.¹

Gentlemen of Congress when they vote always connect
with them the State views and politicks — and therefore —

That upon Tryal it has been found that the Articles of
Confⁿ are not adequate —

That the small States have abused their power, and in-
stanced Rho. Island.

E. Notes on Debate of June 30.²

Wilson.

Did not expect this Question at this Stage of the Business.

Member of Connecticut said, not more than one State to
Eastward would accede.

Sense of Duty.

This as to Contribⁿ

22 out of 90 — not $\frac{1}{4}$ —

Artificial Systems of States —

Easy to correct it.

The Voice of the Minority will vote away the Property
of the Majority —

A Solecism.

7 States can control the 6.

States imaginary Beings abstracted from Men —

No other Foundation will be solid —

The 3 large States combined. W^t He wants the Prin-
ciples of the Combⁿ — they will be Rivals.

Their Interests are different.

24 out of 90 carry more of an Aristocracy.

Why wish for an Union
of the lesser States —

2 Kinds of bad Gov^t — 1. That Gov^t which does not do
enough — and 2. that which does too much — Be as we were
before we met.

Yes — but then the 2
Systems oppose each
other.

The System of Virginia and the System of Jersey agree
as to the Powers —

Gov^t by the States necessary. There can be no Difficulty
as to this Point.

M^r Elsworth.

Objⁿ A Minority will govern a Majority. You put it in
the Power of a few to prevent the Oppression of the many.

Political Societies are to govern —

In the Br. Constⁿ the few has a Check upon the many;
and one upon both —

The House must be demolished — but it only wants a
Shingle —³

If Congress had voted by a Majority, all Evils would have
been cured —

Rhode-Island — The Power not in Congress.

Are not the large States safe now —

¹ A hand on the margin.

² This document is in the possession of Miss Emily K. Paterson.

³ "We are razing the foundations of the building. When we need only
repair the roof." *Doc. Hist.*, II. 252.

Suppose the large States should agree that 4 free Ports should be established.

Suppose lucrative Offices —

Self-Preservation.

No Unity of Interests —

M^r. Maddison.

The Confedⁿ inadequate to its Purposes.

Lycia.

Germanick Body.

Resolⁿ of Con^t refusing to comply with a federal Reqⁿ

Reported Violations in every State.

The Rule of Conf^{da} obtained by the Necessity of the Times —

The large States will not be secure by the lower Branch.

2^d Branch may possess a Negative over the Laws of the State-Leg^t

M^r. Ellsworth.

Con^t has furnished more thⁿ her Quota as to Men —

M^r. Sherman.

M^r. Wilson asks, why the Interests of the lesser States cannot be as safe in the Hands of the larger States as in their own —

M^r. Davle —

The Resolⁿ as reported by the Com^{rs} is impracticable — is too large —

The 2^d Branch being executive must sit constantly.

M^r. Willson —

Not necessary to sit constantly —

Each State should have one Senator — 1 Member in the second for every 100,000 People ; and 1 for the smallest State.

This a Compromise on the Part of the large States.

He will not insist upon small Matters — if the great Principles can be established —

Gov^t placed upon a false Basis.

Doct^r. Franklin.

The lesser States afraid of their Liberties ; the larger States afraid of their Money.

Treaty between France and the U. S. the latter had no Disposition over the Treasury of the former.

M^r. King.

Captⁿ. Dayton.

Equality is the Vice of the present System.

M^r. Maddison

The Am^t¹ is Congress in a new Form ; servile to the States.

No Disposⁿ in C^t² Rep. or Corporations to swallow up the Rest.

M^r. Bedford —

Purity of Principle—

¹ Amendment probably ; if so, it may refer to Wilson's proposition to have one senator in each state "for every 100,000 souls, and let the States not having that n^o of inhabitants be allowed one." *Doc. Hist.*, III. 256. Such would seem to be the connection judging by Madison's notes ; but on the other hand it is much more reasonable to suppose that Madison in this speech is referring either to Ellsworth's motion "that the rule of suffrage in the 2^d branch be the same with that established by the articles of confederation" (*Doc. Hist.*, III. 245), or to Franklin's proposals (*Ibid.*, 257).

² Or C^y, meaning county.

M^r King.This a
ConsolidⁿThe King
Bribed.France—
Ireland.

Magna Charta of England. Certain constⁿ Principles to be observed.

Union of England and Scotland.

Power in the Mag^{ty} to prevent a Violation of fundamental Principles.

Gov^t a *progressive Force*.

F. *Notes on Debate of July 5.*¹

Maddison.

The Interest of the smaller States to come into the Measure — Delaware — foreign Power — New-Jersey. Single and unconnected.

Butler.

The People will not agree to it.

G. Morris.

Suppose the larger States agree — the smaller States must come in.

Jersey would follow the Opinions of New York and Pennsylv^a.

The Sword must decide —

The strongest Party will make the weaker Traitors and hang them — foreign Power.

Should be open to Conviction —

— The larger States must prevail — they must decide ; they are most powerful.

Not Members of a Synod, or Conventicle —

G. *Notes on Debates of July 7 and 9.*

Gerry.

About 2,000 Men in the smaller States, who compose the Executives, Legislatives, and Judiciaries ; all interested in opposing the present Plan, because it tends to annihilate the State-Governments.

Sherman —

If a Majority of the lesser states be ag^t the Laws of the national Govern^t ; those Laws cannot be executed — There must then be a Branch immediately from the States.

Wilson —

An Agreem^t elsewhere cannot be expected unless the Representation be fair —

Madison.

1. The Upper Branch may put a Veto upon the Acts of the lower Branch.

2. May extort a Concurrence. The smaller States near the Centre ; they may compose a Majority of the Quorum.

Gerry —

The larger States will have more Influence ; they have in Congress ; this from the Nature of Things.

G. Morris —

Great Care will be taken to lessen the Powers of the 2^d. Branch —

Corporations to be protected.

¹ The subject under discussion was the report of the Committee providing for equal representation in the second branch and the initiation of revenue and appropriation by the first branch.

Separate colonial Existences —

Corporations — The small States — go on and fight out the Rev.ⁿ or give us an equal Vote.

The small States say, that they will have greater Rights as Citizens —

Must have such a Gov.^t as will give Safety —

State-Policy not a proper Object for a vigorous Governm^t

In Proportion to the Vigour and Strength of the State Governm^t will be the Febleness of the general Governm^t —

We must have it in View eventually to lessen and destroy the State Limits and Authorities —

The Germanick Constⁿ — The Emperor has never been able to collect them — the separate Parts were too independant —

Monday 9th July, 87.

Gorham.

Report of Com^{tee}¹

Necessary, that the Atlantic States should take Care of themselves; the Western States will soon be very numerous.

H. Notes on Debate of July 23.²

i. The Constitutionality of the Measure.

Reasons.

1. The People the Source of Power. Union —
2. The Leg^t of To-Morrow may repeal the Act of the Leg^t of To-Day. So as to Convention —
3. Some of the Constⁿ not well or authoritatively founded — Acquiescence.

Expediency.

2 Branches in some of the States —

Judges, etc excluded —

The very Men that will oppose — Rh. Island —

¹ This was the report of the committee stating the representation of each state in the first Congress.

² The heading on the Lenox Library copy is "Notes of Paterson possibly of Madison's speech of 19 June." The notes seem however to cover the debates of July 23, the day on which Paterson seconded Ellsworth's motion that the Constitution be referred to the legislatures for ratification. Down to the first blank line, *i. e.* through the word "Acquiescence," the notes refer to the speech of Mason. Down to the next blank line, *i. e.* from "Expediency" through "Rh. Island," the notes refer to the speech of Gorham. The next line, beginning with "The Debt," and ending with "Idea," refers to Ellsworth's remarks. From the words "The Leg^t," through the words "13 States," reference seems to be to the remarks of G. Morris. Possibly "Congress over again" refers to something said by King but perhaps by Morris. The last sentence is doubtless an assertion of Madison's.

The Debt will go with the Gov^t— this a prevailing Idea —
The Leg^t has no Right to alter the Constⁿ or the Con-
fedⁿ —

Not acting under the Confedⁿ Nothing but a Compact
resting upon the 13 States.

Congress over again.

A Violation of the Compact by one of the Parties, leaves
the rest at Large, and exonerated from the Agreem^t

REVIEWS OF BOOKS

Encyclopædia Biblica. Volume IV. Edited by Rev. T. K. CHEYNE and H. SUTHERLAND BLACK. (London: Adam and Charles Black; New York: The Macmillan Company. 1903. Pp. 728.)

THE completion of the *Encyclopædia Biblica*, with its fourth volume, is a notable event in the history of Biblical science, for the reason that the work has broken loose almost entirely from the authority of traditional critical and theological views. Some old opinions it of necessity retains, particularly in cases in which there is no new evidence; but its intention is to test everything by fresh investigation. Every question, critical, literary, historical, or theological, is considered to be open, and the largest liberty has been given the contributors. This has doubtless led to excess in some instances, but the general result has been to interrogate facts more strictly, and to reject what does not stand faithful scrutiny. Many opinions hitherto held by respectable scholars or by the general religious public are discarded. But the spirit of the *Encyclopædia* cannot fairly be described as negative — it for the most part discards only to build more solidly. Perhaps the greatest shock to the general reader will be given by certain articles on New Testament subjects, in which received opinions are very widely departed from. In the present volume, for example, the Epistle to the Romans (generally regarded as one of the four indisputably Pauline letters) is declared to present a theological development considerably later than Paul's time, and therefore to be certainly not written by him, and moreover, to be not a unit, but a combination of several different treatises. This conclusion will probably be rejected by the majority of the New Testament scholars of to-day; but the writer gives the current view, which he undertakes to refute, and gives his reasons for his own view, so that every reader has before him the material from which to draw his own conclusion. There are few articles, however, that go counter to the general opinions of scholars so decidedly as this. In the Old Testament field Dr. Cheyne pushes his theory of the influence of the Jerahmeel clan on Hebrew fortunes farther than seems just, and his frequent transformations of names of persons and places into "Jerahmeel" appear to be arbitrary.

Among the articles in the present volume of interest for historical students the following may be mentioned: under "Quirinius" the Roman census-system in the first century of our era (Luke II. 1, 2) is considered; the much-debated question of Peter's connection with the Roman church is discussed in the article "Rome"; there are sketches of the history and institutions of the Samaritans, of the careers of the great Assyrian king Sargon II. and the Egyptian king Shishak, and of

the civilization of the Scythians ; there is a general survey of the history of Syria down to the Moslem conquest, with a map ; side by side are long articles on Simon Magus and Simon Peter, the former of whom is one of the most curious figures in history ; war is represented by the article "Siege," and commerce by the articles "Shekel," "Trade and Commerce," and "Weights and Measures." There is also a sketch of the Biblical Hebrew text and the ancient versions.

In such a work, in which the various articles are written by independent specialists, it is impossible to eliminate the personal equation and give only what is accepted everywhere by everybody. Biblical criticism is a growing science, and a Biblical encyclopedia of to-day must give the views of competent scholars of to-day. Hence, doubtless, a certain one-sidedness, which, however, in the present instance, is generally mitigated by a wide citation of opposed views ; and this work, the present reviewer thinks, will be found to furnish the reader, in the main, satisfactory guidance in the points with which it has to do.

C. H. Toy.

Histoire de France depuis les Origines jusqu'à la Révolution.

(Publiée sous la Direction de M. Ernest Lavisse.) Tome I., I. Tableau de la Géographie de la France. Par M. VIDAL DE LA BLACHE, Professeur à l'Université de Paris. (Paris : Hachette et Cie. 1903. Pp. 395.)

"L'HISTOIRE d'un peuple," says M. Vidal de la Blache, "est inséparable de la contrée qu'il habite. On ne peut se représenter le peuple grec ailleurs qu'autour des mers helléniques, l'Anglais, ailleurs que dans son île, l'Américain, ailleurs que dans les vastes espaces des États-Unis. Comment en est-il de même du peuple dont l'histoire s'est incorporée au sol de la France, c'est ce qu'on a cherché à expliquer dans ces pages" (introduction).

And yet, although the value of historical geography has been recognized from the time of Pliny and Strabo, it needs only a little reflection to remind us that it is a new science, along with the biological and physical sciences, whose methods of research were fixed and whose basal principles were established not later than the second half of the last century. In France the value of historical geography was first officially recognized in the arrêté of May 15, 1818, an act due to the initiative of Royer-Collard, which prescribed equal instruction in history and geography for each class from the fifth to the rhetoric grade. One need only glance over the pages of Sismondi, Barante, Anquetil, Lacratelle, Rapin, and Mezeray to discover how great a revolution has been wrought, both in the writing and in the teaching of history, since their time. Michelet and Guizot broke away from the old traditions ; but Guizot's primary interest was in the history of institutions, and Michelet was a symbolist who yet felt deeply the reality and seriousness of life. With Michelet moral forces were the dominant interest. He appreciated the influence

of climate and topography, but, after all, his perceptions in this particular were more temperamental than intellectual or scientific. He *felt* effects. Michelet's demonstrations are often defective and unscientific, though they are always brilliant. Who that has read those nature-studies of his last years, "*La Montagne*" and "*La Mer*," or better still, the marvelous third book of the *Histoire de France*, has not perceived this?

Times have changed. To-day the proper groundwork of true historical study is an accurate geography; and by this very much is implied. Historical geography is a complex science (pp. 8, 60). Beginning with the influence upon France both physically and commercially of great factors like the Mediterranean, the oceans, and the Channel, M. Vidal de la Blache passes to the consideration of the ethnic foundations of the French people. The great highways of migration in central Europe from prehistoric times are traced: first, by the valley of the Danube; second, through middle Germany, Picardy, and Champaign, into France; third, along the seaboard of the North Sea by way of Frisia and Flanders (p. 31). The influence exercised by the vast forests existing in Europe in the primitive era is described by a wealth of illustration. The Black Forest, as we know it, the Böhmer-Wald, the forests of Fontainebleau and Compiègne, with many others, are but fragments of the mighty wilderness which covered the face of Europe in years long vanished away. The division of both France and Germany into the feudal provinces of the ninth and tenth centuries was greatly influenced by the forests. Bohemia was thus separated from Bavaria, Franconia from Swabia, Anjou from Brittany, Saintonge from Poitou, and every English school-boy knows the history of the Andreas-Wald between Kent and Sussex (pp. 31-33, 131-133). It is a striking fact that Lorraine, perhaps more than any province of Germany or France, has been historically influenced by natural causes. The curious separate, or rather double, identity of Lorraine is seem to be due to deeper causes than race-rivalry, or position as a border province between two great nations. The limits of Lorraine are of nature's making much more than of men's or of nations' device (pp. 33, 198-199, 204-208), and the existence of a Lorraine type of mankind in this region is older even than the settlement of Verdun or the Treaty of Meersen (p. 205).

The story of the gradual formation of agricultural zones in the heart of the ancient woods, the beginnings of a civilization, stimulated to industrial activity and invention by the discovery of iron in Moravia and of tin in Brittany and Cornwall, fill some fascinating pages (36-39). It is a step farther from the consideration of such things to that of varieties of soil and climate and the influence exercised by them (Part I., Ch. 4). Then a few paragraphs upon the influence of the topography of France upon its commerce close the first portion of the work, in which the *ensemble* of France — "*la personnalité géographique*" — is treated of as nature formed the country, unmodified by man.

A detailed regional description of France follows, M. Vidal de la Blache dividing France into ten grand divisions. This study is method-

ically done. First the physical development of the region is described, then the gradual growth of historical phenomena, and the intimate association of geography and history is made manifest. These pages are interesting. To read them is like watching a sculptor molding the lifeless clay into the human shape and endowing the inert mass with the expression of the soul. The earth lives; the elemental is humanized.

Many questions are answered here which may have perplexed the student of history until now, and some vivid suggestions are made. The commercial greatness of Ghent and Bruges and Ypres is foreshadowed in the "making" of this portion of Europe. Why Picardy and Flanders became "the cockpit of Europe" is answered here. Belgium and Holland and Luxembourg have to be neutral states by the ordinance of nature as well as because the dictum of Europe so declares. The balance of power is demonstrable in terms of physical geography as well as in terms of international law.

Naturally, the upgrowth of Paris fills a large space. M. Vidal de la Blache finds the greatness of Paris prefigured in its fortunate environment (p. 85). This prosperity was increased by the advantageous connection of the Parisian basin with Flanders, through the valley of the Somme. But politics were capricious in the tenth century. We are reminded that "Nous sommes habitués à faire pivoter notre histoire autour de Paris: pendant longtemps elle a pivoté entre Reims, Laon, Soissons et Noyon" (p. 106). The coincidence of physical and political geography ultimately won in the struggle, but why did Paris, and not Rouen, become the capital of the region? From the time of Strabo the situation of Rouen had been regarded as a peculiarly fortunate one: "sa position ressemblerait à celle de Londres" (p. 178). The answer is found in the discovery of the strategic importance of the island of Paris during the incursions of the Northmen, and indeed long after the creation of the Norman duchy. Mr. Freeman long ago demonstrated this statement in his essay upon "The Early Sieges of Paris," but the depth and breadth of the geological and other physical facts become doubly conclusive now.

The Beauce is the natural link between France north and France south of the Loire, and across its low plains we are taken to southern France. The description of the transition is like a painting by Meissonier. One knows not which to admire more—the picture as a painting, or the admirable technique, delicacy of touch, and accuracy of detail (pp. 273–274). Two observations in the part devoted to southern France seem noteworthy: first, the absence of urban life in Haute Auvergne in Roman times, although the Romans were "grands créateurs de vie urbaine," and the great influence in these regions of the medieval church (p. 295); second, the influence of physiography upon the existence and persistence of the little state of Béarn, the suppression of whose institutions von Ranke regretted. There is comfort, though, in the reflection that the unity of France was predestined by physical geography as well as asserted by an inexorable monarchy (p. 375).

The methods of Michelet and of M. Vidal de la Blache were contrasted in the beginning of this review. They are also to be compared. Michelet's style may be the more captivating and the play of his imagination be ever a rapture to his reader, but M. Vidal de la Blache writes in an alluring way, and at times is eloquent and poetic. The description of the west coast of Normandy (p. 326) is an etching in words.

This volume is the ripe fruit of thirty years of study. Karl Ritter's letters and even the English *Consular Reports* have been quarried for knowledge. Some time ago the reviewer picked up a little pamphlet by M. Vidal de la Blache, a lecture delivered at the opening of the course in history and geography at the University of Nancy. It is interesting to compare it with the present work. Reading it in the light of this volume, one feels the little brochure to be a prophecy and a promise now so admirably fulfilled. It is a pity, however, that some such work as Himly's book upon the territorial formation of Germany might not conclude this series of volumes, as the one now under review inaugurates the series. From the nature of his subject M. Vidal de la Blache cannot enlarge upon the historical geography of France. He only suggests the lines of development. All the information of a geographo-political nature now scattered throughout the whole requires to be compressed and crystallized into a volume which shall portray the territorial formation of France; the formation of the feudal provinces; the influence of the Seine and the Loire, as bearers of commerce, as boundaries, and as factors in the time of war, as notably the case with the Loire in the sixteenth century. The history of the "natural frontiers" of France is one yet imperfectly written, although M. Sorel is the author of a brief but excellent account (*Révolution Française*, I. 254 ff.). There are sixty-four maps or diagrams scattered through the book, which do much to illuminate the text. It is to be regretted, however, that the maps have not been printed on paper of a harder and smoother surface than the ordinary book-paper. For the large general map alone is proper paper used. As a consequence it is the only one which is clear. The others appear blurred, and fine details are impossible.

JAMES WESTFALL THOMPSON.

Histoire de France depuis les Origines jusqu'à la Révolution. (Publiée sous la Direction de M. Ernest Lavisse.) Tome II., 1. Le Christianisme, les Barbares, Mérovingiens et Carolingiens. Par C. BAYET, G. PFISTER, et A. KLEINCLAUSZ. (Paris: Hachette et Cie. 1903. Pp. 439.)

THE second volume of the *Histoire de France* is not up to the standard of some other volumes of the series. First of all, it lacks the unity of most of the others, for it is of triple authorship. M. Bayet writes of the evangelization of Gaul, of the manners and customs of the early Germans, of the history of the Visigoths and Burgundians, and of the Franks down to the death of Clovis, besides contributing a chapter upon

the intellectual influence of the church M. Pfister has covered the Merovingian period down to 714, and written the chapters upon the later Carolingians and the origins of the feudal régime; to M. Kleinclausz has been allotted the task of writing the history of the Carolingians from 714 to 888.

M. Bayet is scholarly and has great grace of style, but he has a tendency to be too positive on doubtful matters. On page 3 he assumes that St. Paul visited Gaul; whereas that Paul visited Spain between his first and second imprisonments is only conjectured; it has the element of probability, but the burden of historical opinion regards the supposed visit to Gaul as apocryphal. Again, did Irenæus recognize the primacy of the bishop of Rome (p. 9)? And in view of the fifteen drastic ordinances of the emperor Theodosius against heretical and pagan worshipers, and the appropriation of pagan property for Christian purposes, it seems an exaggerated distinction to write that "*Le christianisme n'est pas encore une religion d'État, mais il est la religion des empereurs qui, de tout leur pouvoir, en favorisent les progrès.*" The chapter on "*Le Monde Germanique*" is a skilful presentation of the salient institutions of the Germanic people — skilful because of the clever avoidance of the angles of argument. The controversialist will probably find much to complain of, but the average reader will be inclined to accept the statements at their face-value. German scholarship is the author's reliance in this writing, and Coulanges is entirely repudiated (p. 56, note).

M. Pfister excels in institutional history; the chapter upon the origins of feudalism is a capital piece of writing. The same may be said of that upon the institutions of the Merovingian epoch. But the rest of Book II., covering the Frank period from the death of Clovis to Charles Martel, is disappointing. There is too much mere narrative. Moreover, in his account M. Pfister divorces the facts from the institutions that shaped them, and this makes his interpretation of the civil wars of the sixth and seventh centuries unsatisfactory. His view is that the wars were provoked by the ambition of the Frank kings. The real principle at stake was whether the crown or the nobles should be predominant, but the nobles were the aggressors. The author fails to distinguish between cause and occasion. The war between Sigbert and Chilperic to revenge the murder of the Neustrian queen was taken advantage of by the *leudes*, to rebel against the kingship which had grown too strong for German — and feudal — ideas during the heroic era. As he exaggerates the ambition of the kings as a factor in the struggle, so also he overestimates the personal worth of Dagobert I. in the interim between the civil wars. The king reigned, but the nobles governed in the person of Pepin of Landen. The very failure of Dagobert's attempt to recover from the nobles, and even from the church, a portion of those lands of which the crown had been despoiled in the course of the wars, is evidence of this. Dagobert recoiled before the powerful opposition of the nobles and clerical resistance. The eulogy of him on page 161 hardly agrees with critical history to-day. Owing to this failure to

interpret Frankish history institutionally, the author fails to gauge the significance of Grimoald's attempted usurpation in 656. The weight of tradition and the sanction of the church were back of the Merovingian dynasty. The act stirred the latent loyalty of the Franks, and such forces, though impalpable, are not to be ignored. There is a tardy recognition (p. 273) of the influence of this "divinity that doth hedge a king," but the point there made could not have been appreciated by the mass of the Frank nation, and was capable of advantages with legists and churchmen only.

This personal interpretation of history is carried on through the history of the Carolingians, written by M. Kleinclausz. Fortunately, the forceful character of Charlemagne makes such a manner of treatment seem juster than it would otherwise be. Book III., Chapter 2, upon Charlemagne as emperor, and especially the sixth portion, upon the coronation of 800, is as lucid as Bryce, while being much fuller. Sickel's article in the *Historische Zeitschrift* for 1900, LXXXIV. 385, "Kirchenstaat und Carolinger," ought to be inserted in the bibliography of this event. The same praise is to be awarded the paragraphs upon Charlemagne's partition of the Empire in 806. The feudal structure of the Frank Empire, and the importance of "peace and concord" as unifying bonds are emphasized. But the minute that Charlemagne has disappeared the defective treatment becomes manifest again. Charlemagne was stronger than institutions and molded them to his will. With the Merovingians and later Carolingians institutions were stronger than the kings. The civil wars of the ninth century are too much ascribed to the weaknesses of Louis the Pious and the ambition of his sons, and not enough to the feudal influences of the time. The only hint of such a condition of things is in two lines upon page 367. The feudal character of the Strasburg Oath is passed over; Verdun is represented too much as a national partition and not as a distribution of fiefs, which fundamentally it was. It is singular that there is no allusion to the synod of Trosly in 909, for few documents of that century cast as great light upon the civilization of that age, and when read in the light of the events of the time the articles are luminous as to feudal and clerical policy. Charles the Simple gets all the credit for the creation of the Norman duchy, neither the influence of the church nor the self-interest of Robert of Paris being recognized. In connection with Normandy, there is a distinct exaggeration on page 404. The Danegeld was not *often* collected after the settlement of the Northmen. There are only two instances — 924 and 926.

JAMES WESTFALL THOMPSON.

The British Nation: A History. By GEORGE M. WRONG, M.A.,
Professor of History in the University of Toronto. [Twentieth
Century Text-books.] (New York: D. Appleton and Company.
1903. Pp. xxxii, 616.)

A high-school history of "the British nation" by the professor of history in the University of Toronto in itself promises novelties, which are further indicated in the preface. The point of view governing the choice of title is shown by the following extract: "Britain represents many states, and the aspiration to unite the several parts into one effective whole has now become almost a national passion. While England, as pioneer in developing the dominant phase of modern political life — representative government — must always stand first in the history of Britain, other divisions have contributed important elements, and Mr. Green's phrase, the English People, hardly covers the whole range of the history of the British nation" (p. vi). Attention is also called to the fact that "about one-third of the chapters are devoted to social life," using the materials gathered together in Traill's *Social England*; that the author has "aimed especially to interpret the characters of those conspicuous in the narrative," making use of the *Dictionary of National Biography*, and that "almost unconsciously to himself Captain Mahan's teaching in regard to the importance of sea-power has pervaded his interpretation of the past."

It may be said at once that these points of view are pretty consistently maintained. The attempt to include the whole of the United Kingdom and the colonies in a book of this size naturally constitutes a difficult task. In his execution of it Professor Wrong gives about sixteen pages in all to Ireland and about ten to Scotland — including in this count the space devoted to such scattered topics as the relations of Elizabeth, Cromwell, William III., Pitt, Peel, and Gladstone to Ireland, and of Edward I., Elizabeth, Charles I., Cromwell, William III., and Anne to Scotland; Wales is mentioned only in passing, and the growth of the British dominions over seas is summed up, for the most part, in a special chapter of twenty pages at the close of the book. The amount of space given to these topics is thus not much greater than in other recent school histories; nevertheless the author lives up to the promise of his title by constantly keeping before the reader's attention, from the first chapter to the last, the fact that the theme of the book is something larger than the mere history of England. Similarly too, the amount of space devoted to questions of sea-power is not great, but the subject is kept to the fore; it is discussed in the first chapter, on geography and race, in the last in connection with the growth of the empire, and incidentally it is touched upon in connection with Blake, the Seven Years' War, Nelson, the Continental System, and the war in the Peninsula. Six of the twenty-three chapters, with a total of 121 pages, deal with such topics as "Pre-Norman Civilization in England," "Society in England at the Close of the Mediæval Period," "The England of Elizabeth," "Social Changes

in the Nineteenth Century"; other chapters in addition deal largely with social topics. Space for such matters is obtained by condensation of the political narrative wherever possible. At times this policy seems carried too far: the causes of the Hundred Years' War are summed up in ten lines; and the struggle is made to turn entirely on the exploded notion of an exclusion based on the Salic law; the Agincourt campaign is given ten lines; twenty lines suffice for Joan of Arc. The statement (p. 355), that Charles I. in 1627 "attacked France in aid of the Huguenots," without mention of the friction over the marriage-treaty and the affair of the prizes, is distinctly misleading. On the whole, however, the work of condensation is skilfully done; and the result is a readable narrative from which little essential has been omitted.

The book is indeed one of the best school histories of England that is on the market. The style is good, the chapters are supplied with concise summaries of European events at the beginning, and with summaries of dates and lists of books for reference at the close. The maps and illustrations are numerous and well-chosen, and on the whole are well executed; exceptions are Charles II. (p. 410), the elder Pitt (p. 452), and some others in which the half-tone plate needs retouching. Unless the reviewer is much mistaken, the cut on p. 295 labeled "Philip II of Spain," is Philip III. Commendable features are the dates of birth and death given with portraits, the explanatory text where cuts seem to need it, and the indication of the source in the list of illustrations prefixed to the book.

Because the book is on the whole so excellent, it is desirable to point out with some completeness the errata noted. The statement (p. 26) that Christianity "became in 313 the religion of the Empire" goes beyond the facts. Rolf was given Normandy not in 913 but in 911 (p. 46). The Constitutions of Clarendon, as Maitland has shown, did not provide that "clerics might be tried by laymen" (p. 97). Becket was murdered on December 29, not December 27 (p. 99). The statement that Richard I.'s conduct on the Third Crusade was "almost stainless" (p. 108) is too strong a statement. John was not present in person at the battle of Bouvines (p. 113), but was in Poitou. On page 182 the statement that King John of France "could not pay his ransom" and so died in captivity, ignores his release and voluntary return, and is misleading. The characterization of the Templars (p. 248) as "lay monks" is open to objection. On page 477 the statement that "the *farm* had three great fields" must mean the manor or village. The account of the passage of the first Reform act (pp. 518-519) is pretty badly mixed. The bill introduced in March, 1831, did not pass the Commons, and hence was not rejected by the Lords; it was a defeat in committee that led to the dissolution. There was only one rejection by the House of Lords, namely that of the second bill, which was passed by the new House of Commons in September, 1831; and it was after this that the riots broke out in Bristol and elsewhere. The resignation of the ministers took place while the third bill was still before the Lords,

in consequence of an adverse motion carried in committee; and it was this same bill which was finally passed after the return of the ministers to power. On page 561 the "friendly societies" need some explanation for American youth. The Irish famine (p. 564) was in 1846, not 1848. In the index (p. 611) the reference "monk" is to General Monk.

SAMUEL B. HARDING.

Die soziale und politische Bedeutung der Grundherrschaft im früheren Mittelalter. Untersuchungen über Hofrecht, Immunität und Landleihen. Von GERHARD SEELIGER. (Leipzig: B. G. Teubner. 1903. Pp. 204.)

THIS careful and scholarly work is essentially a contribution to the bitter controversy that in recent years has raged in Germany over the interpretation of historical developments by economic causes. The author conducts his investigation with a temperance and amenity that are the more admirable in contrast with the tone that many of his predecessors have permitted themselves to adopt.

The chief purpose of the work is to show the impossibility of accounting for the political and social changes of the early middle ages on economic considerations alone. Landlordship or seigniorial authority (*Grundherrschaft*), Professor Seeliger contends, affected political and social life only in so far as it was privileged and authorized by the state. He institutes a careful inquiry into the nature of benefice, precarium, immunity, and manorial law with the purpose of showing that these institutions lacked that self-consistency, that constancy and precision which alone would justify scholars in operating with them in the peremptory fashion that has commonly been followed in generalizations about the early middle ages. The failure to realize the shifting and multiform aspects of these institutions has produced, in Professor Seeliger's opinion, much vain controversy.

A good example of this is the famous dispute over benefice and precarium carried on by Waitz and Roth. A study of the institutions in question leads our author to the conclusion that one is not justified in generalizing about them in detail. The precarium varied with the individual contract. It did not create a determinable relation between the grantor and the recipient. There are but two general characteristics to be noted. The precarium is at first a loan of land made in reply to a document requesting such a loan. Then in the course of the eighth and ninth centuries the Franks introduced a second document securing the precarist, who had generally made a previous surrender of his land. The precarium may then be defined as a loan of land operated by a previous surrender of property by the precarist. These points are familiar to readers of Fustel de Coulanges; the novelty lies in restricting the general definition of the institution within such narrow limits. With regard to the benefice, in like manner Professor Seeliger will go no further than to say that it is to be distinguished from land grants of a superior order by the obligation of making some kind of render or service, from those

of an inferior order by the fact that it was disengaged from the "engeren Gutsverband." The benefice and precarium of the ninth and tenth centuries may be thought of as concentric institutions; all precaria were beneficia, although the converse of this proposition was not true. Then the two begin to separate, and precaria occur which are not beneficia. Thus there is both differentiation, which was the contention of Waitz, and assimilation, which was that of Roth. Thus does Professor Seeliger sound the note of caution, deprecating that *Systemsucht* which has led so many German scholars to vitiate their own work by piecing out knowledge with hypothesis and dealing with the result as though it were established truth.

The chapter on the immunity is perhaps the most important in the book, and the results there attained may be briefly summarized. The original grant of immunity, the prohibition of the *introitus iudicium*, acted on existing seigniorial relations, real and personal, to produce a form of jurisdiction which is thus seen to derive from the royal authority. The *advocati*, equipped with the royal ban, then appear as bearers and representatives of this authority. Thus the new jurisdiction is recognized as a public law institution. But the immunity covered only the lands of which the immunist was lord, and these were commonly scattered and dispersed. Immunists then tried to round out or consolidate their estates, or, failing that, to extend their authority over lands of which they were not the lords. Thus a distinction must be taken between lordship or authority deriving from proprietorship, on the one hand, and that deriving from immunity (based on royal grant) on the other. Then after the tenth century, lordship deriving from immunity loses its unity and uniformity. The personal gives way to territorial principle, the personal dependents of a lord living outside the range of the immunity escape his jurisdiction. Thus a second distinction must be taken, this time between lordship based on personal dependence on the one hand and on rights of jurisdiction on the other. Then between the close of the ninth century and the opening of the eleventh two forms of immunity occur, the one narrow, intense, exclusive, the other broad, vague, and incomplete. The second of these drops away, and in the course of the eleventh and twelfth centuries the term immunity is applied only to the first of them.

The novelty of this exposition consists chiefly in three points: first, the coördination of the immunity with other organs of public jurisdiction in the ninth century; second, the rejection of the generally received view of the steady progress of the immunist's jurisdiction from the minor order in the Frank period to the higher in the tenth century; third, the contention that the immunities of the tenth and eleventh centuries, differing widely among themselves, cannot be regarded as forming a constant or uniform institution. Thus those who dispute about the effect of lordship and immunity on territorial and municipal development in Germany will often be found maintaining different views by arguments drawn from different aspects of the same institution.

In a concluding chapter on manorial law Professor Seeliger rejects the prevailing theory of a general depression of freemen into predial serfdom in the post Carolingian period followed in the twelfth and thirteenth centuries by a general emancipation owing to the increased value of land. He contends that personal freedom was not lost in a wholesale fashion in the earlier period, and that the view which regards manorial law as the law of status, imposing that status upon those who, in any relation, were subject to it, is erroneous.

A wise and temperate passage from Professor Seeliger's concluding paragraph may here be quoted as characteristic of the spirit and aim of his investigation:

Unsere Betrachtung will durchaus nicht die politische und soziale Bedeutung der Grundherrschaft schlechthin leugnen, will nicht an Stelle der übertriebenen Wertschätzung eine gleich fehlerhafte Unterschätzung setzen. Ausdrücklich soll vielmehr anerkannt sein, dass die materiellen Verhältnisse stets die sozialen und politischen mächtig beeinflussten, dass wirtschaftliche Kraft soziales und politisches Übergewicht, wirtschaftliche Schwäche Minderung des sozialen und politischen Einflusses bewirkt habe. Aber für überaus bedenklich halten wir es, die sozialen und politischen Bildungen einfach aus wirtschaftlichen Wandlungen ableiten zu wollen.

The righteous will consider this and rejoice.

GAILLARD THOMAS LAPSLEY.

John Lackland. By KATE NORGATE. (New York: The Macmillan Company. 1902. Pp. 302.)

THE first thought with which one opens Miss Norgate's history of the reign of John is almost inevitably of comparison with her *England under the Angevin Kings*, of which it is really a continuation. *John Lackland* stands in considerable contrast to the earlier work. The difference of style is noticeable at once. The later book is less picturesque, deals less in description, and has fewer touches of life and color, but it gains some compensation in seeming a more sober and businesslike study. It is implied that the author still regards John Richard Green as master and guide, but Green's influence is manifestly less, not on style alone, but on the general view and on the choice and interpretation of the facts. The impression of greater maturity and steadiness which the style makes is deepened by a critical examination of details. Scientifically it is a better piece of work than the *Angevin Kings*. Especially is there much less of what is too frequent in the first book — a mingling together in the same account of what Miss Norgate drew directly from the sources and of her own explanations and inferences in such a way that it is impossible to distinguish between them without reference to the texts, and one gets the impression that she found in Benedict or Wendover what she only believes they intended to imply.

The book is an account of the political history of John's reign in greater detail than we have had before. It does not add to our knowl-

edge anything of first importance. Much space is given, and well given, to the affairs of Ireland; and the four maps of the island at different dates from 1175 to 1210 are very useful. From the beginning of the trouble with the Pope, Miss Norgate makes greater use of the letters of Innocent than has been usual with English historians, and the same is true of the Patent, Close, and Charter Rolls in the period of the conflict with the barons. The result is the bringing out of points of detail not before stated, especially in the period after the battle of Bouvines, but these concern, I believe, no question of great importance. The author's attitude to the barons in their struggle with the King after the signing of the charter is distinctly unfavorable. She evidently does not believe in their sincerity or in their willingness to grant the King fair play. In regard to John himself, the author quotes Green's rather high estimate of his capacities as a kind of motto of the book, but her account of his life does not strengthen the argument in favor of that opinion. Her own estimate of him and of the other personages of the period is evidence of sober and careful judgment well grounded on the original authorities.

The great weakness of the book is on the constitutional side. Miss Norgate seems herself to have no feeling of the tremendous change, slowly prepared, which begins to find expression in the reign of John — the transformation of a feudal monarchy which in the end gives England so unique a constitution, or if she does, she does not convey the impression of it to her reader. Perhaps the criticism is unfair. We should remember that the book is primarily a political, not a constitutional history. It is only because these two sides were so closely interwoven in this reign, and the direct results of the political situation were of such immense importance in the constitutional, that we feel any sense of disappointment.

In regard to the trial of John by the French King's court before the loss of Normandy, Miss Norgate holds to the view expressed in her paper on the subject in the *Transactions of the Royal Historical Society*, Vol. XIV., that he was not tried at all, not for the murder of Arthur and not on the appeal of the barons of Poitou. This must, I think, be regarded as certainly a wrong interpretation of the facts. It is true that we have in only one contemporary chronicler a direct statement that such a trial took place, but this is surely one of those occasions when the situation of things itself gives full support to an assertion otherwise unsupported. Of errors of a more positive sort there are few of any importance. The most serious one noted — the misinterpretation of the passage from Walter of Coventry, II. 218, in regard to John's demand of an oath of fealty from his subjects "against all men," adding also the unaccustomed clause "against the charter," which she took to mean that the demand of fealty against all men was itself supposed to be contrary to the charter, — has no doubt been repeatedly called to Miss Norgate's attention. That it should have escaped her own revisions seems unaccountable.

In conclusion we have to thank Miss Norgate for a scholarly account of this important reign on its political side, giving us new glimpses into

its details and emphasizing the value of a thorough study of its documentary sources.

GEORGE B. ADAMS.

The Destruction of the Greek Empire and the Story of the Capture of Constantinople by the Turks. By EDWIN PEARS. (London: Longmans, Green, and Company. 1903. Pp. xxiv, 476.)

THIS is a continuation of *The Fall of Constantinople: being the Story of the Fourth Crusade* by the same author. The narrative begins with a brief account of the Latin Empire, 1204-1261. The second chapter describes the difficulties in reconstructing the Greek Empire. Mr. Pears makes it clear that the Western rulers by their attempts to restore the Latin Empire hindered the development of a strong empire and facilitated the entrance of the Turks into Europe. In Chapters 4, 6, and 9 are traced the dynastic struggles and the political history from 1320 to 1452. Chapter 8 deals with the causes of the decay of the Empire, namely the weakness resulting from sixty years of rule by the Latins, the constant attacks of the Turks, and the depopulation caused by the Black Death. Chapters 3, 5, and 7 are devoted to the history of the Turks from their entrance into Asia Minor until 1451. Chapter 10 describes the preparation for the siege by both Christians and Turks, and Chapters 11 to 17 — the best portion of the work — depict with remarkable fidelity the siege and capture. Chapter 18 deals chiefly with the character of Mahomet II., and Chapter 19 with the influence of the disintegration and fall of the Empire on the Renaissance in western Europe. Chapter 20 attempts a summary of the results. There are three topographical appendixes, and one on the influence of religion on Greeks and Moslems respectively. The book is published in attractive form, and is supplied with four illustrations, three maps, and an adequate analytical index.

Since Gibbon wrote his brilliant description of the fall of Constantinople, a large amount of new material has been brought to light, and Pears is the first English writer to use this material. Gibbon deplored the inadequacy of the sources of his information, and especially the lack of Turkish accounts of the siege. Pears's summary of the sources now available that were unknown to Gibbon includes seven valuable accounts by eye-witnesses, namely Critobulus, a Greek officer in the service of Mahomet, the podestà of Pera, just across from Constantinople, the superior of the Franciscan friars at Galata, and four Italians.

In addition, there are eleven other less important sources, including three Turkish, two Slavonic, and one Armenian account. In contrast with this, Gibbon used the writings of only three eye-witnesses and four less important sources. It is evident from this enumeration that Pears is able to supply a wealth of detail impossible to Gibbon, and that his sources are sufficiently numerous to furnish an accurate account, which may be corrected in minor points but is not likely to be altered essentially by the discovery of additional sources.

When we turn to the execution of the work, the verdict must be on the whole favorable. Pears understands and makes clear the importance of the religious questions at issue in the Greek Empire. He criticizes Gibbon justly for the latter's inability to grasp the real meaning of the struggles for and against union with the Western church. This is of course due to Gibbon's whole attitude towards religious matters. In Pears's book the obstinate devotion to their faith, which characterized the Greeks, is depicted, with both its good and evil consequences. In the matter of topography Pears is thoroughly at home, and is inclined to be conservative. Long residence at Constantinople and careful study have fitted him to speak with authority. In using his sources he has been very diligent, even more so than would appear from a cursory examination of the authorities which he cites in his notes. On the other hand, his style is far removed from the brilliancy of Gibbon. In some places his conscientious narrative is dull reading. When he reaches the siege, the interest increases, but one still feels the absence of the master hand with the dramatic instinct. We fail to realize that we are viewing the disastrous end of the greatest empire the world has known.

Some minor criticisms may be added. His work is not well articulated; his chapters do not always form logical unities. It would be possible, in some instances, to add a few pages from one to the preceding or to the following chapter with equal fitness. Some lapses in historical criticism are noticeable. In the preface he says: "Even in the case of Sir John Maundeville, I have quoted him without hinting that a doubt of his very existence has been uttered. Whether he lived and was or was not a traveller, or whether his book was, as has been suggested, a kind of mediæval Murray's Guide, does not in the least affect the statements which I have reproduced from it." Yet on page 54 he writes, "Maundeville, who visited Palestine in 1322"; on page 55, "Maundeville in Syria met Christians from Prester John's country"; and he has equally positive statements about Maundeville in other places.

There is a confusion of dates: on page 36 he attributes the Sicilian Vespers to March, 1282; on page 41, to 1283. This may be due to careless proof-reading; but the same can hardly be said of the statement, "In 1258, the year before the recapture of Constantinople and the destruction of the Latin Empire by the Greeks" (p. 53).

His account of the early history of the Turks is inaccurate. On page 97 he has a curious note: "This was in 1097, when, on the invitation of Godfrey de Bouillon, Alexis had reached the city on its water side by taking his boats, in part at least, overland from the Gulf of Moudania to the lake. The object of Godfrey was to prevent the Crusaders' being exposed to the demoralisation of plundering a hostile city." He evidently believed (wrongly) that Godfrey was the leader of the Crusaders. His explanation of Godfrey's object is ludicrous to one who is familiar with the motives of the leaders of the First Crusade.

But these errors can easily be corrected in a second edition; to push them farther would be unjust; for this book is a real contribution to

historical knowledge, and will probably long remain a standard account of the capture of Constantinople.

D. C. MUNRO.

A History of Modern Europe. By MERRICK WHITCOMB. [Twentieth Century Text-books.] (New York: D. Appleton and Company. 1903. Pp. xii, 361.)

THE author of this work states in his preface that it differs from the majority of school histories in laying greater emphasis upon the contemporary period. Accordingly considerably more than half the book is devoted to the French Revolution and the nineteenth century. The development of the modern nations out of the chaotic material of the middle ages is but briefly sketched, but, as regards the main political elements, is probably sufficiently clear for the purposes of this work.

The chapters on the Renaissance and the Reformation, probably the best in the book, are analytic and descriptive much more than narrative — analytic of movements, forces, and conditions, of causes and results. In considerable measure this is characteristic of the work as a whole. Dates are somewhat less numerous than in most school histories, but there are several places where the inclusion of a date in text or margin could have prevented confusion. Similarly, the use of such terms as "13th Vendemiaire" and "18 Brumaire" without a word of explanation until the pupil stumbles upon a partially explanatory note some pages farther on, and even then not to learn to what dates in our system these Revolutionary dates correspond, is not commendable.

The principal causes of the French Revolution are set forth with considerable clearness, and the progress of the Revolution interestingly though rapidly presented. Of wars and campaigns little is said; it is to political values that attention is chiefly called. It was probably not in the plan of the book to treat the history of England except incidentally; at any rate we find only a few sentences on the English Reformation, a few pages on the English Revolution of the seventeenth century, nothing on the eighteenth century, and a short chapter on the reforms of the nineteenth century, including some account of England's colonial possessions.

It is unfortunate that the interesting government of Germany should be dismissed with so unsatisfactory a statement as the following: "Her political organization differs from that of the states of Western Europe. The Emperor is an autocrat; his will constitutes the policy of the nation; no real parliamentary government exists" (p. 218). The few sentences regarding the formation of the Empire after the Franco-Prussian War, together with the characterization of it, will give a student not merely an inadequate, but a very erroneous conception of what the German Empire really is.

There is a good account of the race-problem in Austria-Hungary. The history ends practically with the formation of the dual monarchy. The history of Germany and Italy, likewise, ends with the completion of

union in each case. There are portraits of Wilhelm II. and Victor Emmanuel III., but no reference to them in the text. For France the account includes the constitution of 1875 with a few references to later events. The chapters on "Africa" and "The Far East" are all that could be asked for in a book of this character. The text ends with a chapter on "Material Progress."

A prominent feature of the book is a so-called "Source Review" at the end of each section into which the chapters are divided. This consists in extracts partly from the sources, partly from standard histories, partly from less important works. Considered from the point of view of interest, the selections are generally well chosen. This feature will commend the book to many teachers who are unable for want of time or for other reasons to use distinctive source-books. On the other hand, many would prefer that the space thus occupied had been utilized for fuller historical treatment, leaving the matter of supplementary reading to their own devices. At the end of each section there is also a brief list of references. It is to be regretted that for the nineteenth century the references are almost solely to Judson and Alison Phillips. Brief genealogical tables are interspersed through the book, and a chronological summary of important events arranged in parallel columns by principal countries is appended. There are numerous illustrations and a few small maps.

Such defects as have been pointed out are mainly defects of omission. Upon the whole, it must be said, the history of modern times is attractively told. As a rule there is clearness as well as an admirable conciseness. The author is usually accurate and fair, though oftentimes frank in the expression of his opinions. With a live teacher to read between the lines (and translate), this history will make a good working text-book.

EDMUND C. BURNETT.

Isabella d'Este, Marchioness of Mantua. A Study of the Renaissance.

By JULIA CARTWRIGHT (Mrs. Ady). (New York: E. P. Dutton and Company, 1903. Two vols., pp. xxiii, 392; xiii, 419.)

AFTER the popes, artists, soldiers, and despots of the Italian Renaissance have been weighed in the scales of the modern scholar and investigator, it is plainly the turn of the women of that astonishing period. Beatrice and Isabella d'Este, Vittoria Colonna, Elisabetta Gonzaga — to name only a few of the fair sisterhood — are certainly a resplendent company. On other grounds than those of mere politeness they might complain that they have been kept waiting over-long. But the stolid heart of learning is at last yielding to their charm. A generation ago they attracted the powerful pen of Gregorovius to their cause and service. His *Lucrezia Borgia* is not only a remarkable portrait, but also a rich fund of contemporary information. The reader seizes the Renaissance afresh from a single and highly individual point of view. Pasolini has done something of the same sort for Caterina Sforza, and now Julia Cartwright comes forward with *Isabella d'Este*. Without aiming at a final biography, she hopes, she tells us in her preface, to arouse and hold our interest.

This modest purpose she has certainly fulfilled. By the graphic means of presenting excerpts from her correspondence, she has exhibited the fair Isabella in relation with all the world, with statesmen, preachers, painters, poets, and what in the case of a woman is most revealing, with other women, both friends and rivals, and thus has done justice to the many facets which this brilliant princess flashed upon her age. The many-sidedness of the Renaissance character ceaselessly arouses our wonder. Isabella was the true child of her age in this respect, but though she rose and fell mercurially to every change of temperature in her environment, she had, in spite of her fluidity, a curious gravity and firmness. She looked well to the ways of her household, was a blameless wife and mother. Such a character, mixed of such elements, was sure to catch the eye of the student of the Renaissance, in proof whereof witness the sketches of Baschet, Yriarte, Gregorovius. This is the first life—really a notable success as far as it goes. Only Messrs. Luzio and Renier, who have been associated for years in the state archives of Mantua, and who have already won our admiration for their publications on the house of Gonzaga, can go farther, and add the last stone to the edifice by giving us a complete, or at least a reasonably complete edition of the admired *marchesa's* correspondence.

And yet the work does not take rank with the great biographies of the period, with, say, Villari's *Savonarola*, or Emerton's *Erasmus*, or the aforementioned *Lucrezia Borgia* of Gregorovius. Perhaps the fault lies with the confusion produced by a too strict adherence to the chronological method, perhaps the author has a less firm mastery of her subject. Certain it is that, in spite of a very diligent absorption of all published materials, and a profound sympathy with the whole period, she has not given us a work carrying the conviction with it of the best productions, with which she must compete. In part, however, the trouble lies with Isabella herself. She has vivacity, she has charm, the Renaissance springs and blossoms around her, but she is not a great storm-center, over whose changes and crises the spectator involuntarily suspends his breath. Isabella's life unfolds itself chiefly in palace and garden, and it may be that, apart from the work of pure scholarship, which may some day be prepared by Luzio and Renier, the most satisfactory presentation of this princess would be of somewhat less ambitious proportions than Miss Cartwright's life. A contemporary poet calls her *la prima donna del mondo*, meaning, doubtless, the most splendid princess of her age. By excisions, compressions, and vitalization here and there, the author could, without going beyond the material within her covers, give us a powerful and lasting portrait of her heroine in what we may agree with her poet and flatterer to be her essential historical rôle.

FERDINAND SCHWILL.

The Philippine Islands, 1493-1898. Edited by EMMA HELEN BLAIR and JAMES A. ROBERTSON. Vol. VI., 1583-1588. (Cleveland: The Arthur H. Clark Company. 1903. Pp. 326.)

THE latest volume of the Philippine documentary series, covering the years 1583-1588, leaves us still in the conquest period, but Spain's history in the islands already begins to acquire a greater complexity and richness of interest for the student. In one way or another, most of the twenty-odd documents presented in Volume VI. touch upon the economics of Spain's new venture in the Orient; so what we lose in the picturesqueness of the tales of the *conquistadores* of the first twenty years is fully made up by the more intimate view the reader may begin to acquire of historical causes and subcauses at work over a broader field.

For such as like to indulge somewhat this wider play of the imagination, the seventy pages given in this volume to extracts from Friar Mendoza's *Historia del gran reyno de China* (Madrid, 1586), showing the knowledge obtained of it by the friars who approached it from the Philippines, will have especial interest. The partition of China is a current topic which consumes some few columns in the newspapers every day; but it is not much newer as a topic than are the direct relations of Europe with Cathay. In a memorial to the Council of the Indies from a "General Junta" of citizens of Manila in 1586, quoted in full in this volume, some thirty pages are devoted to the details of a plan for the conquest of China, upon which Philip II. is asked to enter. It is a most alluring and feasible project, as seen through the colored spectacles of the seven or eight hundred Spaniards then resident in Manila. The King should send out some twelve thousand troops from Spain, and they at Manila would secure four or five thousand allies from Japan and enlist five thousand or more Filipinos, wherewith the conquest would be most simple and easy. "Apart from the corruption of sin, depravity, wickedness, and inveterate customs," the Chinese are pronounced to be incredibly "kind, honorable, content, gentle, pleasant, tractable, and easily governed." Besides the millions of souls to be brought to Christ, there will be five galleons of trade a year in silks, damasks, and jewels; and many counts, dukes, and marquises of China can be created.

This memorial of the "General Junta" is, in the main, an exposition of the topheaviness of the new government of the King at Manila. In it the various estates represented, the civil authorities, the church, and the military, for the moment bury their personal jealousies and join in a compromise recommendation of reforms, sending to Madrid also a spokesman in the person of a Jesuit father, Alonso Sánchez. In the various letters accompanying or following this document, however, we get insight into the quarrels for place, both small and great, wrangles over precedence between the audiencia and the bishop, complaints of the military that the new civil officials are ruthlessly shoving to one side the men who conquered the islands, protests of the civil officials that the friars seek to escape the irksome missionary work of the Philippines for the more attractive field of China, etc. A document of 1584 shows an annual deficit for

the government at Manila. The viceroy of Mexico says the Philippines have, up to 1586, cost the King of Spain 3,000,000 pesos, and that the wily Chinese are absorbing 300,000 pesos every year, money sent out from Spain and Mexico, returning products only for them.

An editorial announcement is made of the change of title in this work, to make it cover the history of the Philippines during the nineteenth century, stopping at 1898 instead of 1803. The editors have feared principally the difficulties in the way of handling the later periods in a manner acceptable to scholars, besides considering that material on the last century in the islands is more readily accessible. The change in plan is in response to a quite general demand, and emphasizes the especial value of this work for the general public — though one can hardly denominate a fifty-five-volume series of reprints a "popular" work. The almost total lack of acceptable material on Philippine history in English gives this undertaking an immediate value which in one sense handicaps the editors, in that it has set the press going before they could possibly digest the mass of Philippine documentary material, unedited as well as edited, which must be surveyed before authoritative work can be done. Critical scholarship cannot, for some time to come, have its final say as to Philippine history.

JAMES A. LE ROY.

Die Blutzeugen aus den Tagen der Titus Oates-Verschwörung (1678–1781). Ein Beitrag zur Kirchengeschichte Englands im 17. Jahrhundert. Von JOSEPH SPILLMAN, S.J. (Freiburg im Breisgau: Herderische Buchhandlung. 1901. Pp. xiii, 377.)

The Popish Plot. A Study in the History of the Reign of Charles II. By JOHN POLLOCK, Fellow of Trinity College, Cambridge. (London: Duckworth and Company. 1903. Pp. xix, 419.)

BURNET in his *History* gave a valuable but brief account of the Popish Plot. Since his time historians of the period, Echard, Ralph, Oldmixon, and Hume, in the eighteenth century, and Lingard, Hallam, Macaulay, and Ranke in the nineteenth, have devoted more or less space to the subject. The material, however, is vast, out of all proportion to anything that has hitherto been written. As to conclusions reached up to the appearance of the books at present under consideration, Burnet disbelieved in the actual plot, and not only Catholic historians, but also the generality of Protestant historians have adopted the same attitude. Writers of both parties have joined hands in denouncing Oates, Bedloe, Dangerfield, and the rest of the crew as impostors, have dwelt on the contradictions and falsehoods of the witnesses, the partiality of the judges and juries, and the innocence of the victims. Where they have parted company has been in seeking to explain the origin of the panic. Those of Catholic sympathies, while not in general misrepresenting the evident facts, have omitted to take into account the designs of the papist party in England, particularly the Jesuits, and their intrigues with Rome and France, and have represented the whole thing as a deliberate fabrication

worked up by Shaftesbury and the country party, or Whigs, as they were soon called, to further their designs in breaking the order of succession and shattering the rival faith. Burnet's view is fairly typical of the opposing school. While he agreed that the Protestant party overreached itself in trying to prove a specific plot and was guilty of shedding innocent blood, he considers it quite clear that a conspiracy was on foot to change the established religion by foreign assistance. Ranke, from his unrivaled knowledge of contemporary public affairs, both in England and on the continent, was able to tell us a great deal about the political and diplomatic aspects of the plot. But, as a general historian, he painted with broad strokes; and a more special interest in the subject was needed, an intimate acquaintance with the composition and aims of English parties, and a thorough knowledge of the workings of English legal and administrative machinery, united with breadth of view and historic impartiality, to trace out the course of events in detail and group the results into a well-rounded whole.

Since the beginning of the twentieth century two monographs have been published. The first in point of time is by a German Jesuit, who, having already told the story of the English martyrs under Henry VIII. and Elizabeth, comes at length to deal with the third group, whose martyrdom in consequence of the "Titus-Oates plot" formed "*den glorreichen Abschluss der blutigen Verfolgung, durch welche die anglikanische Kirche die katholische Religion in England vernichten wollte.*" His attitude is that of an extremist; he shows no evidence of having used any new material; and, furthermore, bases his account chiefly on the writings of those of his own faith. Rather slighting the political setting, he goes at considerable length into the charges of the informers, the careers of the accused, and the proceedings against them, not only in London, but throughout the country. Amusing instances of primitive superstition occur here and there, for instance, the account of the swelling of Charles's hand after he had signed the death-warrant of the five Jesuits (pp. 164-165) and the stories of the distressing fate of several of the informers. On the whole, however, the book is not without value, both for bringing together in a single volume material hitherto scattered in Foley's seven volumes of *Records of the English Province of the Society of Jesus*, Gillow's five-volume *Literary and Biographical History of the English Catholics*, and in less accessible works, as well as for the point of view it represents. Among other bits of information it is perhaps not generally known that by a decree of the Congregation of Rites, dated December 4, 1886, and confirmed by Leo XIII., the beatification of twenty-five victims of the plot was begun. The original list contained thirty-seven, but twelve were temporarily stricken off until more definite proofs of their martyrdom could be secured.

The second work under consideration, originally prepared as a thesis for a Cambridge fellowship, is a distinct contribution. Indeed, it is the first adequate study of the plot ever published. As to its plan and scope, Mr. Pollock informs us that when he began his study the late Lord Acton

wrote him, "There are three quite unravelled mysteries: — what was going on between Coleman and Père La Chaize; how Oates get hold of the wrong story; and who killed Godfrey." He not only answers these questions more fully and satisfactorily than they have ever been answered before, but in addition throws new lights on the politics of the plot, and, by considering them in connection with the administrative and judicial system of the period, gives us for the first time a rational account of the trials of the accused.

The first book of the four into which the study is divided deals with the disclosures of Oates and the designs of the Roman Catholics. Much new material, as well as the findings of the most recent authorities who touch at any point on the questions involved, is examined, the evidence is carefully sifted, and conclusions cautiously drawn. The workings of the elementary machinery are sufficiently exposed to enable the reader to accept or reject the results as he sees fit. Oates is pictured as a liar and impostor from the start, and — contrary to Lingard, who regarded him as the agent of Tonge, and as instigated by him to join the Roman Catholics for the purpose of making disclosures — is given the full credit for his base fabrication. He apparently joined that faith of his own accord, undoubtedly with an eye to his own advantage, but not yet anticipating the form it subsequently took. Oates's *True and Exact Narrative* was got up in collusion with Tonge after Oates's return from St. Omer; but it is difficult to determine whether the connection between the two began before or after his residence there. In spite of Oates's mendacity, the historian is not justified in asserting that his whole story was a mere figment.

The Roman Catholics had founded great hopes on the accession of Charles, but when it became evident that they could expect nothing from him, they sought to effect their purposes through his brother. Coleman, first secretary of the Duke and then of the Duchess of York, became involved in a complicated series of intrigues, during the course of which he was actively negotiating with La Chaize, the confessor of Louis XIV., and with Albani, the papal nuncio at Brussels. At one stage of the proceedings we find him seeking money from abroad to turn the rank and file of the English Parliament against Charles in the interest of France and the Roman Catholic religion. Over two hundred of his letters have been preserved, and although their meaning in individual cases is obscure, their general design is pretty clear. For the three years from 1675 to 1678 they are especially vague and infrequent. On the whole, however, the testimony is sufficient to prove that Coleman, and those with whom he was associated, were aiming by the assistance of a foreign power to "extirpate the religion established in . . . [the] country"; and even if Coleman were not guilty of the specific charges brought against him at his trial, there was still legal ground for convicting him of treason. Moreover, there can be little question that the Duke of York was privy to his designs. Partly from the fragments of Coleman's later correspondence and partly from other sources, the author concludes that there was

some sort of a scheme on foot in 1678, and that it was in some way directed against the King. A new and valuable bit of evidence is the death-bed confession of Lord Berkshire to one Colonel Scott. If Scott's story can be relied upon, and Mr. Pollock thinks it can, the government certainly were justified in committing Arundell, Bellasis, Powis, Stafford, and Petre. "According to the information which Lord Berkshire gave to Colonel Scott," to quote the conclusion of this part of the survey, "no harm was intended to the King, at least he knew of none. This may well have been, but at the same time it is necessary to remember that Charles was at the moment the greatest impediment to the chance of Catholic success. He was little older than his brother, and enjoyed far better health. As far as could be judged, he was by no means likely to be the first to die. He had definitely adopted a policy adverse to the Catholics. If he were to die, the charge of revolutionary dealing would lie at the door of those who should attempt to keep the Duke of York from the throne. So long as Charles lived, any attempt to restore the Roman Catholic religion in England, certainly any attempt made behind his back, would be a matter of high treason and against the interests of peace and established order. This much only can be said with safety, that the brothers hated each other, that the death of the King was talked in the Jesuit seminaries on the continent, and that James was not above tolerating, if he did not direct, an attempt to murder the husband of his daughter" (p. 69). In view of these facts, "Oates was not after all aiming shafts utterly at random. During his stay in the Jesuit seminaries in Spain and Flanders he must have obtained an inkling of what was in the air, and proceeded to act upon the information to his best advantage. That the whole truth had little resemblance to his tale of fire and massacre is certain, but the tale was not wholly devoid of truth. His vast superstructure of lies was not without a slight basis of solid fact" (p. 64).

While it was still uncertain whether Oates's wild stories would be accepted, Sir Edmund Berry Godfrey, the magistrate who took his depositions, was found dead on Primrose Hill. How he met his death is one of the great puzzles of history, and all sorts of conjectures have been hazarded. Following Gardiner's lead in dealing with the Gunpowder Plot, Mr. Pollock, after examining and testing all the facts, has tried one key after another until he has succeeded, to his satisfaction, in opening the lock. The conclusion at which he arrives after remarkably close and ingenious reasoning is that Godfrey must have learned from Coleman that the Jesuits had held their provincial meeting of April 24, 1678, not at the White Horse Tavern, as Oates had deposed, but at St. James's Palace, and that certain Jesuits — Le Fevre, Welch, and Pritchard — murdered the justice of the peace to prevent the possible disclosure of a secret that would have ruined the Duke of York and the party depending on him. Prance was involved. Bedloe got wind of the fact and accused him. To divert attention from the guilty parties Prance charged the crime on three men who were really innocent. In the opinion of the author, Green, Berry, and Hill were wrongfully put to death, although

in view of the evidence presented at the trial the sentence of the court was justified. This explanation of Godfrey's murder fits the facts better than any hitherto advanced; nevertheless one must bear in mind that no certain proof exists of Coleman's imparting to Godfrey the secret in question.

The murder gave the Protestant opposition the very chance they wanted. We cannot enter here into the objects of the conflicting parties, so carefully treated by the author in his third book. While doing full justice to Shaftesbury's aims to advance "religious and political freedom and commercial enterprise," Mr. Pollock justly emphasizes the disreputable means by which he sought to achieve his purpose. He shatters with a final blow the view held by some hostile historians that Shaftesbury invented the plot, but he makes it evident, if any further proof were needed, that Shaftesbury welcomed Oates and turned the latter's disclosures to his own advantage. He even prompted the charges against the Queen in order to bring about a divorce and a Protestant marriage; and only when that scheme failed did he throw his support in favor of the Duke of Monmouth. The Green Ribbon Club, an organization founded in 1675, whose influence has not been adequately recognized, was very active in furthering Shaftesbury's political plans. In this part of the work great obligations are acknowledged to Sir George Sitwell's *First Whig*. Christie, Shaftesbury's classic biographer and apologist—to whom, by the way, Mr. Pollock never directly refers in his text—argues that the great opposition leader was as sincere as Russell in believing that a conspiracy existed against the King, the nation, and the Protestant religion. But he insults the intelligence of an extraordinarily able man if he means to imply that Shaftesbury believed Oates's absurd stories; and certainly Shaftesbury employed means discreditable even for that day to instigate and substantiate the specific disclosures of the informers.

In treating the actual trials the author points out certain considerations which, strangely enough, have never been taken into account in this connection. England, during at least eight reigns following the Reformation, was continually in an unsettled state, subject to attack from without, and to disturbance and even revolution from within; there was no standing army, no police system; and the responsibility for keeping order, for the detection and punishment of crime, was in the hands of the justices of the peace and the judges. In view of these facts, we can readily understand the attitude of the courts and judges, who took every possible means to secure the conviction of a prisoner suspected of disturbing the peace, or, still worse, of conspiracy against the government. Moreover, the extremely defective system of legal procedure prevailing in those days worked to the prejudice of the accused. All this is brought before the reader in great detail, fortified by ample illustrations from works like Stephen's *History of the Criminal Law in England*, and Gardiner's *History of England*, and from the *State Trials* themselves, to show that the case of the Popish Plot presents no ghastly anomaly in the judicial procedure of the time. Even the much-condemned Scroggs does

not compare at all unfavorably, in point of fairness, with that stanch bulwark of the common law, Sir Edward Coke, for instance.

To sum up the results of Mr. Pollock's scholarly study: While emphasizing sufficiently the mendacity of the informers and the unscrupulous use that the party leaders made of their disclosures, he has shown us just what Protestants had to fear and why the panic was possible, and has estimated the trials of the accused in their true setting. Actual errors of fact or statement are remarkably few. Father Pollen, in a note to the *Athenæum* for July 18, points out that his attack on Gavan (p. 201) is not substantiated from the evidence cited, and that by unintentionally misreading a sentence he has confused the Jesuit father with the coachman of the imperial ambassador. Occasional slips in proof-reading occur. The reference to Pepys's *Diary* (p. 88) should be 1669 not 1699; Oates's second deposition consisted apparently of 81 not 83 articles (p. 90); Baron Flowerdue was raised to the bench in 1584 not 1684 (p. 277, note 3); and in the abstract of the penal laws the two dated 1603 and 1609 (pp. 402, 403) were passed in 1604 and 1610 respectively, although in each case Parliament met before the close of the former year, according to the old style.

ARTHUR LYON CROSS.

The Cambridge Modern History. Planned by the late LORD ACTON, LL.D., Regius Professor of Modern History. Edited by A. W. WARD, Litt.D., G. W. PROTHERO, Litt.D., and STANLEY LEATHES, M.A. Vol. VII. The United States. (London: Macmillan and Company; New York: The Macmillan Co. 1903. Pp. xxvii, 857.)

COMPOSITE histories, the work of various hands, are now a familiar type, of which every country has its examples. They are hard to review within reasonable bounds, for the work of the editors and of each of the writers demands separate consideration before one can arrive at a just judgment of the whole. The present volume contains twenty-three chapters, by thirteen different writers; little can be said in detail of each.

The work of the editors, which on the whole has been performed less satisfactorily than that of the contributors, deserves some indulgence on account of the difficulties which must have been occasioned by Lord Acton's illness and death, and the attendant confusion of plans; however, there was no compulsion to publish at a specified time. The task of the editors of such a book is, no doubt, to devise the chapters, fix their respective limits and lengths, select the writers, impart a common ideal of treatment, revise the texts, give uniformity and completeness to the bibliographies, and supply the index. The mechanical execution was already in good hands. Lord Acton's general plan for the volume was that, finding its place in his series near the end of the eighteenth century, it should recount the whole history of the English in America and of the United States from the beginning to the present time. This followed from his general principle of arrangement, that the history of each people

should be taken up at the point at which it was drawn into the main stream of human progress as represented by the European nations. It results in giving to the volume a unity greater than will be possessed by most of the other volumes. Those parts of the history of Spanish America which should naturally precede have already been briefly treated by Mr. Payne in the first volume.

In general the scheme of chapters is well devised. The deviations from the chronological or usual arrangement are: that the history of the French in America to 1744 is separately treated; that between the chapter on the quarrel with Great Britain and that on the War of Independence a chapter entitled "The Declaration of Independence" is inserted, intended to review in a different manner the same period as that covered by its predecessor; that after the chapters on the Civil War come three others, on the naval operations, the North, and the South during the Civil War; and that at the end of the volume follow two chapters on the economic development of the United States and on the American intellect. There is exceedingly little duplication in the volume, and most matters that one would expect to find in chapters of this sort are dealt with, even if not always where one would expect to find them. There are, however, grave defects in respect to proportion. The formative colonial period is scantied (sixty-nine pages to the English, but forty-three more to the French). If thirty-four pages is enough for the Revolutionary War, and perhaps it is if a merely military treatment is satisfactory, twenty-three is too many for the events of the French and Indian War. Fifty-seven pages devoted to the Convention of 1787 and ninety to the whole period from that time to 1850 is a proportion impossible to defend. Finally, nearly a fourth of the book is given to the four years of the Civil War.

In the choice and securing of contributors the editors have done surprisingly well—in these days when nearly everybody is already engaged to at least two series. In some cases the writer is the best man that could be mentioned for the particular chapter; in nearly all he is one of the four or five one would first think of. Eight of the twenty-three chapters are written by Europeans. In this there is gain and loss, for American readers. European writers will not always see things from the point of view that is most useful to us. No American would give an account of the War of 1812 so purely professional that one would suppose that there was no politics in the United States from 1812 to 1816. They will not always call things by our names or know our geography. Mr. Doyle's indifference to the points of compass in America is not unknown from previous examples; he makes Burgoyne throw out a flanking party "to the north-east to act in Connecticut" (p. 215), and sends the Massachusetts expedition of 1779 "to attack the British settlement at Penobscot, on the coast of what is now New Brunswick" (p. 220). But what American writer would, on the whole, deal with the subjects of his four chapters—the first century of English colonization, the years from 1700 to 1763, the quarrel with Great Britain, and the War of Inde-

pendence — at once so competently and with so much candor and catholicity of view.

The various chapters maintain, on the whole with quite sufficient uniformity, a common mode of treatment. The editorial revision of the texts has left some errors, but we have no space to speak of them, nor are they, in general, significant. The bibliography has not been printed with sufficient care. The reviewer has observed more than a hundred small errors in it. This is not creditable. The index seems to be good.

Turning now to the work of the individual writers, Mr. Doyle must be praised for the skill with which, within the excessively narrow limits assigned to him, he treats of the history of the colonies. He treats with noticeably more freshness and interest those parts on which he has not yet published *in extenso* elsewhere. His chapter on the quarrel with Great Britain is mostly confined to a record of events. Mr. M. M. Bigelow's chapter, which follows it, and to which the same chronological limits have been assigned, was apparently intended to supplement this record of the external course of the quarrel with a broad historical exposition of the disputed questions, their merits, and the general meaning of the strife. If so, the chapter must be a disappointment. It is a cloistered lawyer's scholastic discussion of the grievances, with constant and almost sole reference to the manner in which similar difficulties were adjusted in the Constitution of the United States a score of years later; a thing which, it is safe to say, few readers want. The same writer's chapter on the Constitution is of similar quality. It contains almost no information or suggestion on the sources and mutual relations of the provisions of that document. It is hardly more than a myopic summary of the debates in the Convention. In several cases more than a page is devoted to the epitome of a single speech. Meanwhile the Convention is left without background, neither Mr. Doyle nor Mr. Bigelow giving any adequate account of the civil history of the years from 1776 to 1789. Even the history of the struggle for the ratification of the Constitution is greatly scanted; and the chapter ends with the following extraordinary expression of judgment: "Every great undertaking has its master spirit; the master spirit of the Convention which framed the Constitution of the United States, and all that led to it, was Alexander Hamilton. There were other strong leaders . . . but Hamilton, present or absent, . . . was chief among them."

Professor McMaster's three chapters, covering the years from 1789 (indeed in a sense from 1783) to 1850, have his characteristic merits. Some important matters of a constitutional sort are omitted; for instance, the Virginia and Kentucky Resolutions go unmentioned. The sense of proportion is defective, and there are needless and probably confusing departures from chronological order. The writer values illustrative more than probative facts. His eye is for the picturesque rather than for the deeper realities; the acquisition of Louisiana is but an incident in the passing show. But his narrative is always vivacious and original. It has a seizing power. The reader cannot fail to hear in it the hum

of American progress. President Wilson's chapter, which has for its subject the ten years preceding the Civil War, but goes back a good deal to pick up threads which Mr. McMaster has dropped, is deeper, and is indeed an admirable summary.

As has already been remarked, a great amount of space is given to the Civil War. There are three chapters on its military events by the late Mr. John G. Nicolay, one on its naval history by Mr. H. W. Wilson (who studiously avoids all names for the contestants but Northern and Southern), one on the North during the Civil War by Mr. Nicolay, and one on the South during the Civil War, an admirable summary of constitutional, financial, and economic facts, by Professor John C. Schwab. Mr. Nicolay's treatment of the events of the war is excellent. It is indeed the narrative of a participant, and of a friend and biographer of Lincoln. Somewhat too much space is given to minor incidents relating to Lincoln and especially to the closing incidents of the warfare. But great pains have evidently been taken, and with good effect, to be exact and perspicuous, to preserve proportion, and to keep the general aspects of the war in mind, amid all the military details. Not so much praise can be given to the chapter in which the same writer deals with the North during the war. Two-thirds of its pages are given to the processes of emancipation, while the taxes and the tariff are ignored, and diplomacy and party politics are slighted. The chapter is not at all a successful picture of the North in war-time, nor a well-rounded civil history of the period. Its tone, too, is not quite so fair as that of Mr. Nicolay's other chapters. Mr. T. C. Smith's chapter on the Reconstruction period, a model of summary statement, shows a tone strongly contrasting—the cooler tone of one to whom the war-time and the events succeeding it are purely matter of history. Professor J. B. Moore's chapter on "The United States as a World-Power (1885-1902)" has too much the character of a chronicle of incidents, not penetrating below the surface; but it is hard to avoid this fault in respect to years so recent. It is a well-informed chronicle; but it might be better proportioned. Five pages out of thirty-one are given to a history of the treaty of 1898; its results were important, its process not necessarily so. To this succeeds an excellent chapter on the economic development of the United States in the nineteenth century, by Professor H. C. Emery.

This chapter and that of Professor Barrett Wendell on the American intellect will perhaps give the reader more food for thought than any of the others. Composite histories cannot usually do much more than present acceptably the results of a generation of monographs; but here are two unhaekneyed subjects on which it is possible even here to exhibit originality. We have had no lack of American literary history, to be sure; but not much effort has been made to relate the history of the American intellect to the history of American life. Mr. Wendell gives utterance to some hasty generalizations; indeed, to the present writer his fundamental thesis, that the American has always resembled the Elizabethan Englishman more than the contemporary Englishman has done,

seems unsound. He appears not well acquainted with those varieties of American religion and philosophy, particularly outside of New England, which have not found expression in literature. But it is impossible not to admire his intelligence, his candor, his unconventional courage and pungency of expression. The recent course of American literature he leaves in large part unexplained. May we not say that the New England literature, which he rightly declares to be now substantially a closed body, flowed from a society which from 1820 to 1860 was practically a homogeneous nation; and that, until the American nation as a whole attains to something of the same homogeneous quality, we are not to expect an American literature which shall bear the same relation to it that the classical New England writings bore to the population from which they sprang? We must settle ourselves upon the lees of time. Walt Whitman is not the Messiah of the new dispensation, but rather a clamorous John Baptist, minus the humility, wearing with ostentation his raiment of camel's-hair, and eating his locusts and wild honey with theatrical gusto.

All things considered, no single volume of its size affords so good a history of the United States as this. It will not prove enormously popular; it has too little chauvinism, takes too largely the foreigner's or the Martian's point of view, to make that likely. Yet as it can be bought separately, and as there is a genuine need for a solid history of the United States of about this size, it should have a relatively large success with the public, as well as a cordial appreciation from scholars.

J. FRANKLIN JAMESON.

A History of the Mississippi Valley from its Discovery to the End of Foreign Domination. By JOHN R. SPEARS, in collaboration with A. H. CLARK. (New York: A. S. Clark. 1903. Pp. xxi, 416.)

A book of 140,000 words, abundantly illustrated, at first sight mechanically attractive, and bearing the name of a well-known writer, readily commands attention, the presumption being that where such effort has been made, the result should in some measure be commensurate. In the present case, we regret to say that disillusionment follows examination. It is difficult to say what were the respective parts taken by the two authors. In the preface and not infrequently in the text, the first person singular is used. Possibly the less-practised associate may have done the research work, leaving the narrative to Mr. Spears. From either point of view, however, the undertaking is on the whole painfully crude.

Never scholarly, the literary style is frequently either awkward or undignified. The subheadings to the chapters suggest the friendly assistance of the telegraph editor. There is a marked tendency to the use of extreme and somewhat sensational epithets and phrases, with the purpose, no doubt, of enlivening the text. For example — we have space for but one or two citations — we are told (p. 141) that the "forged statement"

of the French at the Fort Necessity surrender "was [by them] published and screamed throughout all Europe"; on page 139 it had already been affirmed that their version of Jumonville's death "had been screamed into all the courts of Europe." On page 93 we are assured that "It would have afflicted an Indian with syncope had he moved swiftly enough to get ahead of the whites in breaking treaties." In essaying to give us a picture of aboriginal life in the valley, it is alleged (p. 93) that the savages burned and tortured captives "on the theory that 'hanging was too good' for certain offences" — neglecting to explain that hanging as a punishment was unknown among our Indians.

The French are attacked with a persistent bitterness which at last becomes amusing. They are accused (p. 139) in the wars with the English colonists of "slaughtering women and babies whom they dragged from their beds at night"; and a chapter subhead informs us that England's succeeding France in the valley meant that "The man with an axe supplants the vagabond with a sword." It is needless to point out that such an unjudicial temper is not becoming to an historian.

It might be possible to excuse crudity of style, sensationalism, overstatement, inadequacy of treatment, and even an uncritical temperament, were one assured that the volume contained fresh information. But such we have vainly sought within these covers. With insufficient advance knowledge of the field, the authors appear to have hurriedly "crammed" for their task, chiefly from the *Jesuit Relations*, Parkman, and Roosevelt, with a superficial glance at some other authorities. With all of these their acquaintance is evidently slight, for in citations they not infrequently misspell or otherwise mistake names, *e. g.*, "the Rev. Mr. Parkman" (p. 142), and "Dodridge" for Doddridge (p. 232 *et seq.*). Lack of knowledge of recent monographic treatment leads them into accepting as verities such apocrypha as the Jeffersonized version of Chief Logan's speech (p. 222), and the pretty tale of George Rogers Clark's penetrating alone to the Kaskaskia ball-room (pp. 270, 271). Boone and Robertson are classed as "Yankee pioneers" (p. 6). In Chapter V., devoted to the Indians, there is a failure to distinguish between the tribesmen of the plains and those dwelling to the east of the Mississippi, thereby leading to the same confusion in the mind of the reader as possibly existed in that of the writer.

The volume exhibits the lack of practised editorial treatment. The punctuation is curiously faulty. The proof-reader nods when he allows proper names to appear under several guises, *e. g.*, St. Josephs River being sometimes given as St. Joseph's, and elsewhere as St. Joseph; and the Shawnees occasionally appear as Shawanees (although neither version is given in the index). The antipathy of the authors to the French is possibly the cause of the entire omission of French accents in proper names. In compelling all chapters to commence on the right-hand page, the left-hand page is sometimes blank — an uncouth arrangement. There are no running heads for the several chapters. No foot-notes are given, the authors working all credits into the text — an awkward method,

which enables only the surname to be given, thus giving slight intimation of the literature of the subject, in the case of little-known authorities. The illustrations are numerous, and some of them excellent, particularly the head-cuts to chapters; but the full-page pictures are often merely fanciful, while the presence of some of the well-executed portraits can be justified only by chance allusions in the text.

Mechanically, the index presents a good appearance; but a slight examination reveals serious errors both of omission and commission, and in general all the crudities characteristic of the volume. We can here mention but a few examples: Green Bay is credited to Michigan, and is given but two citations; but we find it mentioned in at least a half-dozen other places in the text. Hennepin is awarded but one citation; we have found him, nevertheless, on at least two other pages. The same is the case with Langlade and many other characters in the story. For a long account in the text, there is given but the first page in the stretch; and a familiar method is merely to cite the chapter in which a statement occurs. Many names and events mentioned in the text are here ignored. This is a lazy man's index-making, and closely approaches the methods sometimes met with in our federal documents.

In the absence of any other one book upon the market which covers this broad field in such detail as the Spears-Clark history, it will temporarily meet a certain need; but so crude a piece of work cannot become a standard.

R. G. THWAITES.

The Bernards of Abington and Nether Winchendon. A Family History. By MRS. NAPIER HIGGINS. (New York: Longmans, Green, and Company. 1903. Two vols., pp. x, 348; viii, 364.)

THE last scion of the last known branch of these Bernards has felt called upon to publish this record of the family. Owing to the destruction and loss of documents, Mrs. Higgins has found the writing of the history laborious, but notwithstanding this she has succeeded by diligent industry, with the aid of various publications available for laborers in this field, in compiling two volumes on her chosen topic, and promises those who are interested in her work to follow these with two others for which the materials at her command are more ample. To the general reader, the story of the career of the Bernards, whether conjectural or supported by authentic records, is of little interest. What concerns us is that Sir Francis Bernard, the whilom governor of the province of Massachusetts Bay, traced his descent from one of the lines of this family, and that after the reader reaches the middle of the first volume he is practically dealing with a life of the governor.

Bernard came to America in 1758, bringing with him his wife and four of his eight children. For two uneventful years he governed the province of New Jersey, during which time his family was increased by two American-born children. He showed some tact during this period in his dealings with the natives, and considerable judgment in his treat-

ment of the Quakers, who at that time formed a powerful and respectable body in the province of New Jersey. In August, 1760, Bernard assumed the government of the province of Massachusetts Bay. Quebec had fallen the year before. French rule in Canada was then breathing its last at Montreal. Thereafter British loyalty was not to be stimulated by appeals for men to capture Louisburg, to defend Crown Point, or to lay siege to Fort Frontenac. With the assurance of British domination in Nova Scotia and Canada came a respite to the chronic fears of attack from the Indians of the northeast. Thus relieved from the pressure of patriotism evoked by martial calls, the great political questions which had ever been present in colonial affairs, whether consciously or unconsciously, began once more to assert themselves. Not at first aggressively, nor in the early days of the governor's administration in such a way as seriously to disturb the harmony which existed within the government. For four years, indeed, Bernard escaped anything more than mere friction; and the assurance which had been made to him when he entered upon the government "that he might depend upon a quiet and easy administration" seemed still to be within reach of possible realization.

Then came the troubles brought about by the change of attitude of the English government through its great need for money; the enforcement of obnoxious imports; the attempt to collect revenue through a Stamp Act; the consequent outbreaks in Boston, and the wanton destruction of property owned by obnoxious individuals; the landing of troops there; the repeal of the Stamp Act; and the substitution of the Townshend taxes. During this period the relations of the governor, the representative of law and order and the upholder of royal prerogative, with the assembly which for a time refused compensation to the sufferers through these riotous proceedings, became strained to the utmost extent; and Bernard, who on arrival was welcomed with enthusiasm, found himself in the midst of a people who held him in personal disfavor. For the first time in the history of the province, the council was openly opposed to the governor. The assembly even went so far as to petition for his removal. Spurned by the people of Boston, he found no consolation in turning to the commissioners whom he had not been able to protect, or to the naval officers who had come to Boston to protect him. Commodore Hood, indeed, openly charged him with timidity and wrote contemptuously of his administration of affairs.

Under such circumstances, one who writes a life of the person who has thus lost his popularity will feel called upon to ask what was his agency in producing this state of affairs, and will endeavor to show how far a cultivated, amiable, and well-meaning gentleman like Bernard, whose delight it was to hear his daughter play upon the harpsichord; who found recreation in composing Greek and Latin odes; and who evidently earnestly wished for the prosperity and happiness of his people, was personally accountable for this change of opinion, and how far it was due to events absolutely beyond his control.

Without undertaking to sustain Mrs. Higgins in the attitude which

she assumes upon some of the political questions of the day, it will be readily admitted that most, if not all, of the obloquy which was heaped upon Bernard by contemporary Americans and by the early American historians was unmerited. It was his misfortune in consequence of his official duties to be the target towards which abuse was directed. We appreciate now that the conversion of a mercantile venture with its headquarters in London, whose sole original purpose was to line the pockets of its stock-holders, into a detached government having control over a large and prosperous population with new and individual interests and legislating for a people absolutely without thought of return to the mother-country, carried with it inevitable conflict as to the jurisdiction of the lawmaking bodies on either side the Atlantic. There was no precedent by which this question could be settled, and there was no probability of a peaceable solution for it, a fact not at that time appreciated. From the days of the quo warranto in 1635 down to the Declaration of Independence, except possibly in the time of the Commonwealth, the conflict was chronic. Leaders turned up in the province opportunely. Elisha Cooke, "the Oliver Cromwell of New England," who sought to save from the shipwreck of the Old Charter some of the liberties embodied in it, passed on his power to his son of the same name; and Samuel Adams worked along lines devised by his predecessors. Had there been no Cookes and no Adamsses, others would have filled their places. Had it not been Bernard, then some other representative of the Crown and supporter of prerogative would have been the object of special detestation of the Massachusetts people when the crisis came. The conflict with all its concomitants was irrepressible, and the bitter feelings and hard words which accompanied it were inevitable.

A generalization of this sort would not suffice for the writer of a family history by way of apology or explanation for the unpopularity of the hero. We need not be surprised therefore to find that Mrs. Higgins turns to such sources of information as she has at command for aid in solving these questions. Original papers of the period she has not. Moreover she is not specially equipped for her purposes by familiar knowledge with provincial history or with life in Boston. On this latter point, the manuscript reminiscences of one of the family, then too young to comprehend what she saw, throw a feeble light. Except for this, the composite account which she gives of Bernard's career, with occasional sketches of the leaders of the loyal and patriot forces in Boston, is made up from publications dealing with the subjects. Lecky is the political authority upon whom she relies during the earlier stages of the conflict. Belsham's *George the Third* is freely quoted later on. Rees's *Cyclopædia* is turned to for statistical and geographical information. The *Memorial History of Boston* furnishes the necessary topographical and social details. Hutchinson, Chalmers, Bancroft, and Sabine all contribute their quotas, and the diaries of Hutchinson and John Adams are freely used. Even the weird fancies of Hawthorne are allowed their swing, when the old Province House is described. No one work is perhaps

more fully relied upon for sketches of the patriots than Hosmer's *Samuel Adams*.

The mosaic account thus furnished is skilfully constructed and, although the author is somewhat hampered by her relation to the subject, it may be said to be fairly done, the exceptions she takes to some of the language used by Bancroft being justifiable and her own conclusions being without undue prejudice. The value of the account is greatly increased by copious quotations from a life of Sir Francis Bernard, written by his son Thomas, and privately printed in 1790. No copy of this work has found its way into our libraries, and it consequently escapes mention by Sabin. The writer, Thomas Bernard, was summoned by his father from Harvard College to assume the duties of his private secretary. Thus at the age of sixteen he was placed in a position where he would be impressed by the course of events. In later life he acquired great distinction by his philanthropic writings and work, and even as a young man he keenly appreciated the opportunity furnished the poor man in the province through the absence of an aristocracy. The value of the numerous quotations from this hitherto unknown work will be readily appreciated, and all will unite in regrets that the book was not reprinted in its entirety.

Of Bernard's own publications his *Select Letters* are freely used. So also his *Principles of Law and Polity applied to the American Colonies*, an ill-advised attempt to reform the colonial governments which aided greatly in bringing him into discredit in Boston, written in 1764 and published with *Select Letters*, etc. Three pamphlets containing Bernard's letters were contemporaneously published by his opponents. One of these, *Letters to the Ministry*, etc., is cited.

It is perhaps proper to state in this connection that still another political pamphlet, published in 1774, *The Causes of the Present Distractions in America*, etc., is attributed by Sabin to Sir Francis Bernard. Believing as I do, that it was not written by Bernard, I do not take exceptions to the fact that the author does not allude to it. I cannot, however, pass by the omission to examine Bernard's official correspondence on file in the Record Office. What if the thirteen volumes purchased by Sparks were in the library of Harvard College, and were inaccessible to her? It did not require that she should cross the Atlantic to examine the copies preserved by Bernard, when by going down Fetter or Chancery Lane she could see the originals, or at any rate most of them. This neglect reveals the great defect of these volumes. Mrs. Higgins has been too self-reliant. Industrious, skilful, animated by the best of intentions, and the mistress of considerable literary ability, she could have made her life of Bernard a standard authority if she had taken the advice of some competent historical worker, and used the resources within her reach with greater discrimination. It would hardly be fair to hold her to invariable accuracy in the quotations which she makes from authors upon whom she relies. There is one statement, however, in a paragraph relative to the laws of the province taken from Thomas Bernard's life of his father, which can-

not be passed by without protest. He says "under the Theocracy the violation of the Sabbath was high-treason and was avenged by death." Sir Thomas unquestionably meant to be truthful. The account of the laws of the province and the operations of the government quoted from his work is as a whole intelligent and accurate. It is important, therefore, to note this exception, which can doubtless be traced to Cotton's proposed *Abstract of the Lawes of New England*.

ANDREW MCFARLAND DAVIS.

Leaders of Public Opinion in Ireland. By WILLIAM EDWARD HARTPOLE LECKY. (New York and London: Longmans, Green, and Company. 1903. Pp. xxi, 321; x, 358.)

THIS work in its original form, as we learn from the preface of the new revision, was first published anonymously in 1861, when the author was but twenty-two years old. The work was a failure on the market, only about thirty copies being sold. In 1871 the author republished his biographies over his own name, with an introduction on Irish affairs. This edition, coming in the midst of the exciting discussions on the Irish question that followed the Fenian outbreak of 1867, the Irish Land Act, and the disestablishment and disendowment of the Irish church in 1870, attracted more attention; but the volume received but little attention from the reading public until the conversion of Mr. Gladstone to Home Rule a few years later. Mr. Gladstone appealed to Mr. Lecky's work as a justification of his policy. He made political use of Mr. Lecky's contention that a distinct national feeling lay at the base of Irish discontent; that no government "will ever permanently command the affection and loyalty of the Irish people which is not in some degree national, which is not administered in a great measure by Irishmen and through Irish institutions." But Mr. Lecky was by no means a believer in Gladstone's Home Rule policy. Because he had condemned the Union of 1800 it did not follow that he favored its repeal in 1880. He held that a Parliament like that of 1800, representing the loyalty and landed property of the island, was quite unlike one representing an extreme democracy, or the Irish Land League, which was "certain to be guided by men who had long made it their task to stimulate in every form the most passionate hatred of the British Empire and who would probably begin their legislation by the plunder of the very classes of which Grattan's Parliament mainly consisted."

In his Irish policy Mr. Lecky favored giving Ireland "the greatest amount of self-government that is compatible with the unity and security of the Empire." He was stoutly opposed to the Irish Nationalists and their programme, and he therefore rejected the creation of a dependent Irish Parliament; much more would he oppose the creation of an independent one. He favored the enlargement of local government for Ireland, "directed by the loyal and property classes." But he held that the danger of an independent or subordinate Parliament, which seemed great in 1871, had become incomparably greater at the time of

Mr. Gladstone's proposals, "since the direction of Irish politics," as Mr. Lecky expresses it, "has passed into the hands of men who have proved their disloyalty to the Crown and their hatred of the Empire."

The party use made by Mr. Gladstone and the Home Rulers of Mr. Lecky's essays gave his volume a sudden and unexpected popularity. It was, in a measure, this use of his work that made the author desirous of revising it. He therefore, a short time before his death, revised, enlarged, and in considerable measure rewrote these notable biographical studies, to bring his work into harmony with his later knowledge and his matured opinions. Furthermore, the edition of 1871 was written without an examination of the great manuscript collections of confidential government correspondence that exist in London and Dublin. Mr. Lecky's *History of Ireland in the Eighteenth Century* was largely based on these materials and deals with the same period as most of these biographical studies. This investigation materially modified his earlier judgments.

The edition of 1871, of one volume, which has long been out of print, contained studies on Swift, Flood, Grattan, and O'Connell. The new edition, of two finely-printed volumes, does not contain the sketch of Swift, which has been transferred to the popular edition of Swift's works, edited by Mr. Temple Scott. It is replaced by a valuable introductory sketch of early phases of Irish history since the Revolution. Conditions in Ireland under William and Anne, the conditions and causes of Irish Jacobitism, and the penal laws against Roman Catholics in the first part of the eighteenth century, are here briefly but forcibly presented. This study, and the essay relating to Irish struggles under Grattan and the controversies relating to the union, are engaging and illuminating. Notice is taken of the Fitzwilliam controversy. Lord Rosebery's last monograph on Pitt, and Edward Gibson, Lord Ashbourne's *Pitt: Some Chapters of his Life and Times*, in which they defend Pitt in his conduct toward Fitzwilliam, leave Mr. Lecky unconvinced; but he discusses the points these authors have raised and gives the reader the benefit of both sides of the controversy.

About fifty pages of the new edition are devoted to the study of Flood, more than two hundred to the life and times of Grattan. The new material, as Mr. Lecky states, does not affect the career of Grattan; but new light has been thrown on the treatment of the Catholic question and on the views of the English and Irish governments. The biographies of Flood and Grattan are issued with recognition of this new material. To the study of O'Connell and his times the whole of the second volume is devoted. The author thus gives more three hundred pages to a study that his second edition disposed of in less than a hundred. The volume is like a history of Ireland during the first half of the nineteenth century. The new materials in the study of O'Connell which Mr. Lecky has brought into use are the two large volumes of O'Connell's *Correspondence* edited by W. J. Fitzpatrick, Miss Cusack's

Life of Daniel O'Connell, and Sir Gavan Duffy's series of works describing the relations of O'Connell to the Young Ireland party.

Those who have been students of Irish history and of the historic relations between Ireland and England during the last two centuries have been grateful to Mr. Lecky for his extensive and masterful work in this field. They have now cause for further gratitude that he saw fit to revise and enlarge and put within the reach of our libraries and of intelligent readers these useful and attractive studies on the great Irish leaders.

JAMES A. WOODBURN.

The Aaron Burr Conspiracy. A History largely from Original and hitherto Unused Sources. By WALTER FLAVIUS MCCALEB, A.M., Ph.D. (New York: Dodd, Mead, and Company. 1903. Pp. xviii, 369, and index.)

THANKS are due Mr. McCaleb for having conducted such an extensive and minute search for material relating to the Burr conspiracy; and he must be congratulated upon the rich results that rewarded his efforts. The archives of Mexico and Texas yielded contemporary references to the conspiracy in official Spanish letters. Files of contemporary newspapers in New Orleans and middle Kentucky show what the public knew and how it felt. These, together with Burr maps, private correspondence, and official documents lying hidden and unknown in the department archives at Washington, add a mass of material as considerable in character as in size to all that previous writers upon the subject have had at their disposal. Not only is his knowledge of so much new material a justification in itself for reexamining the old, but it has also afforded him an opportunity to do a public service in restating the whole story with accuracy of detail and with fullness of citation from the new sources not otherwise accessible even to students. But in performing this task Mr. McCaleb has felt compelled, in justice to his own convictions, to propound a new interpretation of the conspiracy which challenges attention. It is original; is it sound?

Mr. McCaleb holds that Burr did not commit, nor even conspire to commit treason. The proof is, first, the testimony of prominent Westerners who deny that they ever had any treasonable dealings with him; secondly, the fact, which the author proceeds to demonstrate, that the West was so loyal to the Union that a conspiracy to sever the Union was preposterous; and, thirdly, the falsity of the evidence hitherto accepted in support of the whole charge.

The contemporary idea that such a treasonable movement was on foot was due almost wholly to articles published in the *Western World* at Frankfort, Ky. The Frankfort *Palladium* repudiated them at the time, and the editors of the *World* admitted before the Kentucky grand jury that they were false. Nevertheless they traveled over the mountains to the East, where they attracted attention, were copied, and gained a credence for the story they told beyond the power of any denials to coun-

teract. Later, when Wilkinson turned against Burr, he told the same tale as if from original knowledge (p. 141). Jefferson gave full credence to the story thus corroborated, and published his proclamation against Burr. Thereupon the Western people, believing that Jefferson would not have acted thus without certain knowledge of the fact, were themselves convinced that Burr must have been conspiring with somebody in their midst to take them out of the Union (pp. 185, 189). So the vicious circle of evidence was complete, yet it was false and founded on two falsehoods.

There is then left the testimony of Merry and Yrujo, who in their contemporary letters to their superiors relate the treasonable conversation of Burr and Dayton with them. Perhaps the student might, with some confidence, be left to decide for himself which mass of testimony has the preponderance. On the other hand, the attempt to conspire with Merry might be confessed and avoided, so far at least as any implication of the West in it is concerned, by urging that no overt act was committed and that such a conspiracy, like the old Spanish conspiracy, "in the nature of things" must have been confined to a few "politicians" and "pensioners." Mr. McCaleb, however, undertakes to deny even this. He offers the explanation that Burr merely pretended to these men to be plotting the severance of the Union in order to get half a million dollars or less in money for his enterprise against Spain. Thus our author would acquit Burr of harboring any treasonable purpose at all by exhibiting him in the act of trying to obtain money under false pretenses, an offense the heinousness of which depends upon the amount of the money and the nature of the pretenses. In fact, between Burr the traitor and Burr the knave there is little choice. But it is something worth while to have the loyalty of the West vindicated.

Again, regarding Burr, Mr. McCaleb holds that he did commit a high misdemeanor against the United States in that he began on its soil an expedition against Spain. It was fortunate for Burr and Blennerhasset, but unfortunate for the truth of history, says our author, that the government failed to make out a case of treason against at least one of them. For, had they been put upon their defense, they must almost certainly have convicted themselves of high misdemeanor in the effort to escape the more serious charge (pp. 355-356). In the end they escaped punishment for the lesser crime also because of "a slight reaction in their favor," the disgust of their prosecutors, and the pressure of other matters (p. 361). It is impossible here even to summarize the evidence on this head which Mr. McCaleb gives, some very interesting parts of which come from Spanish sources.

One of the most striking features of the book is the attitude towards the idea of a filibustering expedition against Spanish territory which Mr. McCaleb attributes to the people of the west. The West had two characteristic attributes, he says — a vigorous national consciousness and an intense hatred of Spain. "Thus for years the West had harbored the most devoted adherents of the constitution and the most unscrupulous filibus-

ters" (p. 13). "In the mind of the westerners, closely linked with their hatred of Spain for her insolence on the one hand and her oppression on the other, came the longing for her fabulous riches, which they meant sooner or later to take for themselves" (p. 6). Burr shared, and was known to share, some of their sentiments against Spain. For this reason and in spite of his past he was in good favor with them; and it was an open secret that he had designs of some sort against Spain, with whom, according to the general expectation of the time, there was likely soon to be war. While the Westerners looked on with sympathy and gave such support as they dared, he planned a filibustering expedition which, as both he and they calculated and earnestly hoped, would, before its true character became so notorious as to bring down official condemnation upon it, be transformed into a lawful war expedition by the acts of both governments. It was Burr's chance to redeem his fortunes. Having prepared himself in advance and being so early in the field, he might expect to win the lasting gratitude of the United States by his achievements, and possibly win a kingdom for himself further south. Indeed there was some expectation that a President who had not interfered with Miranda would conveniently fail to see any filibustering movements in the west (p. 286).

One of the clearest and most convincing parts of the narrative is that devoted to the career of Wilkinson in 1806 and 1807. Throughout the spring and summer of 1806 it seemed as though war would be precipitated on the Sabine frontier. But Wilkinson was dilatory in getting to the front, apparently waiting for Burr to advance his preparations (p. 122). Arrived at length at Natchitoches, he found Herera between him and the Sabine, while Cordero, the superior officer, was at Nacogdoches beyond. The latter refused to recall his subordinate across the river when ordered and war seemed inevitable. But Herera without orders retired beyond the Sabine, and the chance for war was utterly spoiled. It was the situation caused by this act of Herera's which, according to Mr. McCaleb, determined Wilkinson in his purpose to betray Burr. The receipt of the famous letter from Burr just at this juncture afforded a favorable opportunity. If Burr's plans were as far forward as they should be, the failure of war would expose the filibustering nature of his expedition and overwhelm them both. Wilkinson, therefore, determined to save himself by charging Burr with treason and rushing ostentatiously to the rescue of his imperiled country. Then it was that Wilkinson compromised the rights of the United States to the land adjoining the Sabine on the east by making the so-called "neutral ground" (p. 152) treaty with the timid Herera in order to be free to hasten to the scene of alleged greater danger. Then began the process of magnifying the size and scope of Burr's approaching expedition and the danger from the alleged disaffection of the old citizens of New Orleans. Indeed, his own representations of the danger were his warrants for proceeding to govern New Orleans by martial law, although at every step both creoles and Americans, quite in opposition to what he pretended to believe, manifested unimpeachable loyalty and devotion.

When at last Burr's expedition arrived on the lower Mississippi, it numbered barely sixty men with no more arms and provisions, says Mr. McCaleb, than a band of Washita colonists might prudently have carried. Indeed, Burr knew before he left Tennessee that Wilkinson had come to terms with the Spaniards and that there could be no war (p. 266). Burr surrendered and was bound over to meet the grand jury, which, like the Kentucky grand juries, found no true bill against him. The judge, however, unaccountably refused to release him, and, fearing for his life if he should fall into Wilkinson's hands, he fled, was captured near Fort Stoddert, and thence taken to Richmond (p. 275). Jefferson was deceived completely by Wilkinson; and when others manifested doubt in regard to the latter's stories and criticized Jefferson's actions, he took it for partizan malice. At length he lost his temper and his self-control, and began to act obstinately and vindictively without due poise of mind and dignity of manner. The book is without a hero; Burr, Wilkinson, Jefferson are all seen in the light of their shortcomings. Only Burr could say in after times, "What was treason in me thirty years ago, is patriotism now."

The book is not an easy one to read. The narrative, complex at best, is often burdened with controversial matter. There are many long quotations. Though important to the argument and valuable to the reader to whom they are not elsewhere accessible, they often challenge study rather than carry instant conviction. In some important points the testimony is contradictory, and it is only by looking to the weight of evidence that a conclusion can be reached. But Mr. McCaleb's interpretation of the conspiracy, in its most important phases at least, will undoubtedly win acceptance. Few books in recent years have been more enlightening upon their particular themes than this book is.

FREDERICK W. MOORE.

A History of the Peninsular War. By CHARLES OMAN, M.A. Vol. II. From Corunna to Talavera. (Oxford: Clarendon Press; New York: Henry Frowde. 1903. Pp. viii, 664.)

PROFESSOR OMAN'S first volume was duly welcomed. Now comes the second in a solid, sumptuous form, without and within. It is entitled to equal welcome.

The Peninsular War is a maze. Except for the one campaign of Napoleon, and the masterly labors of Wellington, there is no *ensemble* to it. Most events seem to occur in a haphazard way. Much of the good work done proves worthless. "To endeavor to grasp a Spanish corps," says our author, "was like clutching at a ball of quicksilver; the mass dispersed in dribbles between the fingers of the manipulator, and the small rolling pellets ultimately united to form a new force." The terrain was shut in and cut up, so that larger operations were lacking. Victual was scant. The English, aided by the natives, barely existed; the French starved. After reading of Ulm and Austerlitz, Jena and Friedland, and marching in plenty with the Grand Army from

the Channel down the Danube and back, and thence through north Germany to the confines of Russia, this is like turning from wholesale to retail, from a Lyons silk-factory to a counter in the *Bon Marché*. Not that there wanted heroism—think of Saragossa; not that peril was lacking—over half a million men there met a soldier's fate. Yet the influence of the Peninsular struggle on the wars of the Empire is apt to be overrated. Had it begun sooner, had it not been complicated by other and greater European contests, who doubts that Napoleon would have swept out the English and annexed Spain and Portugal to France? For if at sea the Emperor's admirals and fleets could in no wise vie with the British, on land, led by himself, his lieutenants and army corps were efficient far beyond anything the Peninsular allies could put into the field. But this war grew to dangerous proportions only when the career of the great soldier had begun its downward course, when he himself had not sufficient time to devote to this part of the continent, and when the fostering care of Wellington, who quite outclassed every marshal ever trained by Napoleon, could make it a potent factor in his ruin.

Some of the difficulties met by Professor Oman in his undertaking are thus stated: "If we look at the month of May, 1809, we find that the following six disconnected series of operations were all in progress at once, and that each has to be treated as a part of one great scheme of strategy—(1) Soult's campaign against Wellesley in Northern Portugal, (2) Ney's invasion of the Asturias, (3) Victor's and Cuesta's movements in Estramadura, (4) Sebastiani's demonstrations against Venegas in La Mancha, (5) Suchet's contest with Blake in Aragon, (6) St. Cyr's attempt to subdue Catalonia." This variety of operations was partly the outcome of risings of the different sections, headed by the several juntas. It was not strictly the result of one pure strategic plan like, say, the campaign of 1806; and while the latter may be narrated intelligently and in sufficient detail in one or two long chapters, it requires as much space and more labor for the historian to treat each of the former.

Military criticism is now an open book, where he who runneth may read. While the conduct of war more than ever requires training, the factors of a campaign may be well seized and presented historically by the civilian. This was proved by the late John C. Ropes, and the demonstration is being continued on a larger scale by Oman. Added to fresh material, he has personally equipped himself well for his task by visiting the ground, and by reading his authorities, old and new, with the field spread before him. Only he who has done this can appreciate the difference between printed pages, even elucidated by good maps, and the actuality of the terrain itself. Oman has secured the coöperation of numerous experts in his chosen field, and has left no stone unturned to verify every statement of his story. You will not quarrel with his facts, though you may with his deductions. You will agree amiably to differ with him, for while he lacks not a most forceful way of putting things, he is fair enough to rouse only your disagreement, and not your antagonism.

It is difficult to criticize so important a work volume by volume. The first covered the period ending at Corunna; the present one, out of a period of over six years, covers only January to September, 1809. Its central incident is the battle of Talavera. Here Wellesley continued the defensive battle tactics begun at Vimiero, in which the steady line of redcoats on a hill awaited the charge of the Gallic columns, met them, winded after a hard ascent, with a hurricane of bullets, shot, and shell, and then fell upon them with the bayonet. This has been called a triumph of the line against the column. It does not seem so. Ever since 1792 the French had been demonstrating the superiority, as things then were, of the column to the line. The knell of the column was only sounded when the infantry arm was made to carry to a distance. The success of the line was a nice calculation by Wellington of what the natural characteristics of the two opponents would enable each to do and suffer. Reverse the situation and imagine the British line charging up hill against the French column under cover, of being met by a withering volley at the top and then by the countercharge of a deep body. The line would have inevitably been ruptured and driven back. Wellington's greatness in the Peninsula depends not on the discovery of any new tactical theory, but on his wonderful common sense in grasping the conditions—such as lack of cohesiveness of his allies, uncertainty of home support, limited resources in men and food—and his skill in using a Fabian policy to meet the conditions.

The description of the campaign and battle of Talavera is clear. Written from the English standpoint, it bears a different flavor from the French accounts; but it is fair enough to both sides. Indeed, the entire tone of the book is fair. Oman's appreciation of the Great Duke, with his strength and his marked limitations, is essentially well poised for an Englishman. He is not a hero-worshiper of Napoleon as Napier was. Yet he strives to do equity, although from his naturally English point of view, the French reports are now and then "mendacious." As a fact, from the standpoint of the enemy, every despatch is mendacious. Even the most conservative battle reports are full of errors, if not prejudice. The reverse of the battle coin differs widely from the obverse. A Frenchman would use a similar word in speaking of many English reports.

The most interesting single fact given by Oman is that Crauford's celebrated march of twenty-two hours to reach Talavera in season for the battle was forty-three miles, and not sixty-two, as stated by Napier. The latter distance within the day and night, while accepted out of deference to Napier, has always been a source of stumbling to those who have made forced marches with even the most seasoned infantry. Despite the present cut in distance to what one can understand, the march remains one of the very best in history.

This volume shows, perhaps more forcibly than its predecessor, that the author is engaged in preparing a great historical work. One could wish that this century began with less to do, so that one might follow the author in all his details. Oman believes that what is worth doing at all

is worth doing well; and every page is interesting. The manufacture of the work is typically good. The illustrations are apt and the charts excellent.

THEODORE AYRAULT DODGE.

The Independence of the South American Republics. A Study in Recognition and Foreign Policy. By FRÉDÉRIC L. PAXSON. (Philadelphia: Ferris and Leach. 1903. Pp. 288.)

THE title to this excellent little volume gives its intention and scope, and Mr. Paxson has with rare restraint confined himself strictly to his subject. Before the American Revolution there was no theory of recognition, and for a state to recognize a revolted colony before the mother-country had given recognition was tantamount to intervention, and a cause for war. The action of France and Holland in recognizing the United States was based upon interested motives, and therefore could not furnish a precedent. The attitude taken by the United States towards France during the French Revolution, in recognizing any government accepted by the French people, was a decided step in advance, but it was not until the doctrine of neutrality had been defined by Washington's cabinet, in the Proclamation of 1794, that the doctrine of recognition could assume a definite form.

Mr. Paxson outlines clearly this rise of a doctrine of recognition, and as clearly recounts the events passing in South America which led to the revolt against Spain and eventually to independence. He then describes the attitude of the United States from the first mission of Poinsett to the recognition of the late Spanish colonies as sovereign states, and that of England from the beginnings of her somewhat uncertain policy to the like issue. He makes use of the manuscripts in the Department of State at Washington, the Adams papers at Quincy, and the records in the Foreign Office, London. His study is based upon original sources.

While England approached the question of recognition from the commercial side, the United States took the higher ground of international right. Action in the matter involved some delicate consideration of neutral rights. Spain looked upon the South American states as rebellious colonies, and therefore not subject to recognition until such action on her own part should admit their claim to be treated as equals. The United States government, on the other hand, regarded the situation as one of civil war, and the parties already on a plane of equality. A recognition given too hastily might injure the cause it was intended to further, and yet inaction on the part of the government would favor positive breaches of neutrality, such as had given the port of Baltimore so bad a name, and delayed the successful issue of certain negotiations between the United States and Spain. Factious attempts by Clay to force the administration to recognize, even at the expense of war, and the action of the agents of the South American states in demanding recognition or offering treaties without instructions or powers, complicated the position of the Executive, but were not successful. Every opportunity was afforded to Spain

to recover her dominion over South America, and when failure was evident, it became useless to permit a continuation of the war or the restoration of a system of government avowedly hostile to republican institutions. Spain alone could not win ; Europe working through Spain might win, but with danger to the United States. Mr. Paxson has justly emphasized the influence of John Quincy Adams in preventing hasty action by the President and cabinet, and in developing a line of action that accomplished all that was necessary at the time and has stood the test of later experience, though sadly misinterpreted on occasions.

We think Mr. Paxson exaggerates the oppressiveness of the Spanish commercial regulations. The fact was that the mercantile system, of which Spain's laws were an example, was out of date, and had been out of touch with the tendency of international trade since the injection of neutral ships and goods, and the varied and mottled experiences under American non-intercourse, paper blockades, French decrees, and British orders in council. But for Napoleon's invasion of Spain the revolt would have occurred at a much later day. The commercial laws pressed lightly on the colonies because they were rendered quite harmless by extensive and tolerated smuggling. The extension of Napoleon's rule over Spain put an end to the existing commercial system of the colonies, and foreign merchants and influences began to be felt. Not until 1811 was independence from Spain seriously considered. As late as 1816 negotiations were conducted for placing a Spanish prince on the throne of Buenos Ayres.

Another weak point in Mr. Paxson's narrative is the little attention given to the actions and opinions of Russia. The ruling spirit of the Holy Alliance was Metternich, but the attitude taken by Russia, a power representing the extreme of absolutism, was of great moment. The part played by the Czar's treatises on government, sent to the members of the alliance and incidentally to the United States, had more than an academic interest. Indeed, they served, better than could any act of France or Spain, to give Adams his opportunity for stating the American doctrine. By nature opposed to liberal ideas in government, it was not to be expected that the Czar would be silent upon Spain's revolution. The feeling that he could count upon the support of the alliance, after its measures in Italy and Spain, gave his utterances a weight greater than could have been commanded by a power more immediately interested in a possible division of the spoils to follow a restoration of Spanish rule in America. When Canning believed that Russia was acting alone, or was placed in such a position that she could only act alone, he ceased to regard the opinion of the Czar.

Whatever aid was given to Spain in conquering her rebellious colonies must be paid for, and how could poor Spain pay in anything but land, in colonial possessions? Was there not an ever-present fear to Canning that France might obtain Cuba as recompense for aid, or that the United States might annex that island by some, to him, high-handed act, of which Jackson's conduct in the Floridas was a precedent? Mr.

Paxson's narrative does not account for Canning's so suddenly dropping his communications on South American matters with Rush, or for his final diplomatic advance to Polignac. Commerce or the pressure of merchants' petitions would have permitted recognition at any time after the entrance of the French armies into Spain. It was for another cause that Canning took the step that was to lead to recognition. Through Rush he had assured himself that the United States had no intention or interest in acquiring territory lately under the dominion of Spain. By Polignac he learned that France had no land-thirst to be assuaged in America. Having ascertained the position of the two powers most directly concerned, he could then prepare the instructions for his agents sent to South America, and deny that Great Britain had any idea of bringing any part of the late Spanish possessions under her dominion, or would tolerate their being brought under the dominion of any other power.

The proof-reading might have been better.

WORTHINGTON C. FORD.

A Political History of Slavery. Being an Account of the Slavery Controversy from the Earliest Agitations in the Eighteenth Century to the close of the Reconstruction Period. By WILLIAM HENRY SMITH, with an introduction by WHITELOW REID. (New York: G. P. Putnam's Sons. 1903. Pp. xvi, 350; iv, 456.)

THE author of this work was one of the prominent editors and political leaders of Ohio during the period preceding and following our Civil War. He was an active party agent and a leader of party opinion in the course of the events which he narrates. A follower and youthful admirer of Clay and Corwin in Whig days, an ardent Republican and faithful follower and co-worker of Lincoln, Chase, Brough, Morton, and Sherman on the issues of slavery and Civil War, a constant editorial contributor to the party controversies of his day, himself heading his party ticket for the office of secretary of state in Ohio in 1864, Mr. Smith witnessed and helped to make a considerable part of the history of which he writes. His volumes reflect the issues and controversies, the men and measures, as they appeared to him in the midst of the struggle. It cannot be claimed, therefore, that he constructs his political history like an impartial and judicial historian. The party attitude is apparent. The author is fully convinced in his own mind, to begin with, that the cause of civilization and progress is with his side, and this leads him, naturally, to judgments and condemnations, to awarding praise and blame, to the language of censure and denunciation for the opponents of his cause. While the writer is large-minded and at times philosophical, the measure of argument for the other view, the reasons and circumstances influencing the adversary — such as may be necessary to the full presentation of the case in the court of history, are not fully meted out. The pleas of the contestants are not allowed as fully as should be to speak for themselves. But while this is true, as it is true of other con-

tributions to the history of this struggle by personal participants, the careful reader of Mr. Smith's volumes will be fully convinced that they are a valuable contribution to the literature of our political history.

The extent of his subject which the author's subtitle lays out for him would lead us to expect necessarily brief, if not inadequate, treatment of many topics. The fact is, very important aspects of his subject prior to the close of the Mexican War in 1848 are either omitted entirely or receive but scant attention. The status of slavery in the colonies, the causes and processes of emancipation in the northern states, the debates touching slave interests in the Federal Convention of 1787, the influence of the purchase of Louisiana, the causes for the subsidence of the abolition spirit of the period of the Revolution, the cotton-gin and the economic influences leading slavery to become entrenched in the south, the Southern defense and view of slavery — these topics, if mentioned at all, are but slightly and incidentally touched upon. The Missouri struggle of 1820, one of the most important chapters in the slavery controversy, involving constitutional and political arguments of the first rank, is referred to in a few lines, and the compromise resulting from that exciting struggle is mentioned only in connection with and subsequent to its repeal in 1854. Less than three pages are devoted to the annexation of Texas. Lundy's work is but briefly recognized. Dr. Channing's essay on slavery in 1835 is regarded, perhaps quite properly, as the "most influential contribution to the discussion of the subject throughout the whole controversy." But Garrison and the Abolitionists, in whose cause Channing's pen was soon enlisted, are brought into view by our author chiefly for their condemnation. Their shortcomings and excesses; the violence of their language; the censure visited upon them by the moderate opinion of their time are recited: but their merits; their services to the cause of the slave at a time when theirs were the only voices raised in his behalf; the effects of their agitation on public opinion and parties north and south; their literature; the courage they manifested and the character and labors of the men and women promoting their cause; the humanitarian spirit and political theory underlying this cause; the great moral impulse given to the antislavery movement by Abolition agitators and organizers like May, Green, Jay, Phillips, the Tappans, Whittier, Lowell, and Emerson — most of whom are unmentioned; the political effect of their movement in promoting sectionalism and secession — these worthy subjects do not receive that share of attention and appreciation one has a right to expect in a history of American slavery. Theodore Parker, Henry Ward Beecher, and Harriet Beecher Stowe are not mentioned in the account of this struggle. Almost equal neglect is visited upon the Free-soilers and the political movement against slavery extension which they organized. Leaders like Birney, Hale, Andrew, Hoar, Sumner, Wilson, Julian, Palfrey, and Giddings are either left to one side or are but slightly noticed — Chase among all the pronounced antislavery men of his day being accorded suitable rank and influence. It is the safe Whig party-leaders — the politicians rather than the positive agitators and reformers — and the

Western men rather than the New Englanders — that receive our author's interest and attention.

Eighty pages of this work are given to the subject down to the presidential election of 1848. The omissions that we have cited on this period are, however, not without compensations. On the controversy touching the genesis of Abolitionism Mr. Smith goes back beyond Garrison or Lundy or Charles Osborne, and brings into view the work of John Woolman, a New Jersey Quaker who, it is stated (by an anachronistic misprint), was born in 1720 and who, "in 1732, at the age of twenty-six," published his essay on *Considerations on the Keeping of Negroes*. The cases involving the maritime law and national security for slavery on the seas; the influence of the Quaker migration from Virginia and the Carolinas to the Northwest, and its subsequent influence on the antislavery cause; the legal struggles for the slave, especially in Ohio; and valuable references to Ohio politics and leaders — the treatment of these topics gives decided value to this part of the work.

The more valuable parts of Mr. Smith's work begin with the discussions on the Wilmot Proviso (whose origin he attributes to Judge Jacob R. Brinkerhoff, of Ohio), the compromises of 1850, and the exciting political history which follows. These are events within his recollection and experience. He approves the Whig conservatism of Clay, Webster, and Corwin as necessary to the saving of the Union, and he claims that much was gained for freedom by the compromises of 1850. Corwin is given large prominence, and considerable attention is given to his speeches, especially the one against the Mexican War in 1847 and that on the political issues of 1859. Corwin's policy of committing the Whig party in 1847 to opposition to territorial acquisition as a means of avoiding the necessity of taking a party stand on the Wilmot Proviso is brought out in interesting correspondence. The antislavery men of Massachusetts, it is stated, "hoped to follow Corwin, but they wanted him to be as radical as themselves"; and Giddings is reproved for demands on Corwin that would lead to the organization of a new party, and for demanding of Winthrop "security for the future" before voting for him for speaker in 1849.

A full, complete, and satisfactory presentation of the large subjects coming up in the decade before the war is not attempted. But the principal topics are brought into review, and much valuable and important material is suggested, though but few phases of the struggle are fully considered. The volume is strong on the organization of the Republican party, in showing that it was by no means a party of abolition; that in its fundamental principles it was opposed both to the extension of slavery and to interference with that institution in the states; that resistance to slavery extension was the single paramount issue by which it was sought to unite under one banner Free Democrats, radical and conservative antislavery Whigs, German-Americans, and the antislavery Know-nothings. When Douglas interpreted the Republican issues in 1856, calling for "no evasion and no cheating, no skulking or lowering of colors" — instead of

"the rugged issues to which Douglas claimed the Republicans had committed themselves and which had been pressed to the front by the pronounced antislavery men" — "the more prudent counsel of Blair" was followed, who would call all to unite who objected to the repeal of the Missouri Compromise and the extension of slavery. "This embraced thousands who were opposed to the repeal of the Fugitive Slave Law, to meddling with the interstate slave-trade or with slavery in the District of Columbia." After a review of Buchanan's administration from the standpoint of the opposition, and of the progress of the secession movement (which is attributed to conspiracy) and of the attempt at conciliation (in which the author approves the positive stand of Wade and Clark — that the provisions of the Constitution, if enforced, were sufficient to preserve the Union), the first volume closes with the opening of the war.

The second volume deals with the Civil War, Emancipation, and Reconstruction. The Peace Democrats and the Knights of the Golden Circle, especially the course of Vallandigham in Ohio, receive the attention of a chapter. The suspension of habeas corpus and the war powers of the President, national finances and the conduct of Congress, the politics of the war, especially the campaign of Governor Brough in Ohio, and the election of 1864, are set forth from the standpoint of loyalty to the administration. On Reconstruction and Impeachment the author is pronounced in opposition to President Johnson and in favor of the Congressional party. In these days when it is the custom of historical essayists to disparage the Congressional work of Reconstruction, it is well that we have an author restating as Mr. Smith does the causes leading to the drastic measures of Reconstruction, the arguments for manhood suffrage, the political theory underlying the War Amendments, and the faith in the equal rights of all men, white or black, that prompted the able and sincere Congressional leaders in Reconstruction times. For these and for many other aspects of these volumes the historical student, as well as the casual reader, will feel grateful to the author. Historical students are, also, pleased to learn that what may be considered a practical continuation of this work is being carried forward by the son-in-law of Mr. Smith, Mr. Charles R. Williams, editor of the *Indianapolis News*, in a *Life of Rutherford B. Hayes*. With President Hayes in politics and public life Mr. Smith was long and intimately associated. The original material which Mr. Smith has used and referred to, in the shape of correspondence, newspaper files, and pamphlets, and that which he transmits to his successor, will make these volumes of great value and interest to all readers and students of American political history.

The closing chapter of the work under review is contributed by Professor John J. Halsey, Professor of Political Science in Lake Forest University, under the caption, "The Failure of Reconstruction." This brings into review, in a scholarly and judicial summary, the chief events and forces from 1869 to 1877 leading to the abandonment of the historical plan of Reconstruction by the withdrawal of the national military power from the south and the elimination of the negro from Southern

politics — “because,” as Professor Halsey says, “the best thought of the North at last realized that it is impossible to solve the social and moral problems of a people from without.” So far as the application of this vital principle in American government has wrought its logical and natural changes since Reconstruction times, the results and the failures of Reconstruction will be accepted without serious resistance. For there are few, if any, who now wish to quarrel with the old American idea that each state should solve its own social and political problems, subject only to the national law and interest, and with only such help as the state herself invites. But Professor Halsey’s brief view of Reconstruction, though it is the one now generally put forward by fashionable university scholarship, will certainly not pass among all thoughtful and candid men without exciting some antagonisms and a list of exceptions. The author of the work for which he writes would certainly not have written such a chapter. Passing by the quiet assumption that Reconstruction statesmanship produced no successes worth mentioning, we note a few implications that may well be brought to the light of further inspection.

Professor Halsey speaks of the negro’s “bidding a long farewell to the political arena,” implying that that condition is desirable and final. All carpet-baggers are made to look alike, — alike execrable and odious, and he recognizes no redeeming or ameliorating virtue in the carpet-bag régime. He speaks of the Fifteenth Amendment as giving the negro the ballot, “which has proved a curse rather than a blessing,” — which implies a condemnation of that amendment. Under the conditions then existing in the south it may readily be recognized as unwise to have required manhood suffrage through the Reconstruction state constitutions imposed by Congressional power. The erection of acceptable state governments, soon to be left to local control, with the power to regulate the suffrage by suitable and rational qualifications, would perhaps have been wiser statesmanship. But as the Fifteenth Amendment confers the suffrage on no one, nor assumes power in the national government to do so, it would seem to be better for teachers of political science, instead of inveighing against the amendment, clearly to recognize the soundness of its doctrine that limitations on suffrage and political rights should never be based on the accidents of race or color. The writing of that principle in the fundamental law of the land may still be reasonably claimed as a success that was well worth achieving. Professor Halsey will probably very readily agree that, while the principle of manhood equality before the law, regardless of race or color, may be temporarily violated, it is safe to say that it will not be surrendered nor permanently reversed, not even by the consent of the best thought of the South itself.

JAMES A. WOODBURN.

Bismarck und seine Welt. Grundlegung einer psychologischen Biographie. Von OSKAR KLEIN-HATTINGEN. In zwei Bänden. Erster Band: 1815-1871. (Berlin: Ferd. Dümmlers Verlagsbuchhandlung. 1902. Pp. viii, 709.)

"FROM the title of the work," the author says in his preface, "the reader may gather that the task proposed is: On the basis of the historico-political and biographical material to give a psychological demonstration, for the ultimate purpose of an essentially exhaustive characterization of Bismarck." This ultimate purpose, he adds, cannot yet be attained; we stand too near Bismarck's life to disengage from its details the really salient features; and the author's work is to be regarded only as "a first attempt of its kind."

To use a word that has been much overworked and not a little abused, Klein is trying to depict the "real" Bismarck. His book, of course, is not what he claims, a first attempt of its kind. Nobody writes a historical biography without attempting to get inside his hero. All that really distinguishes this book from the numerous lives of Bismarck that have already appeared is an arrangement that emphasizes this universal attempt, and a slightly pretentious employment of technical psychological terms. Like any other biographer, Klein divides Bismarck's life into periods, and gives a narrative of the events of each period. Unlike the majority of biographers, he appends to each period a general survey (*Überschau*), in which he gives us a study of Bismarck's mind and character at the stage of development then attained. These surveys constitute less than one-tenth of the book and they include other things besides psychological demonstrations. On the other hand, the process of psychological demonstration is applied not only to Bismarck, but also to King William and to Bismarck's leading associates and antagonists. Klein's estimate of William is substantially identical with that of Erich Marcks. Neither book can enjoy the approval of the present Emperor, for both make it clear that even Hohenzollerns need guardians.

Regarded simply as an historical biography, the book has great merits. The author knows the history of the time and commands the Bismarck literature; his material is well selected and well grouped; and his style, although somewhat exclamatory, is lucid and readable. To his knowledge he adds insight and judgment; and his construction of the inner Bismarck is perhaps as near the truth as that of any other biographer. Over most of the German biographers he has distinct advantages: he is too skeptical to take Bismarck's own statements as final, and he has too much humor to regard Bismarck's paradoxes as expressions of lifelong convictions.

Klein has of course, like other men, his prejudices, and he is biased by them. The chief points to be taken into account in controlling his construction of character and his presentation of events are: first, that he is a thoroughly patriotic German; secondly, that he is a Liberal, and not a National Liberal, but something more to the Left,

apparently in Eugene Richter's neighborhood; and thirdly, that he seems to regard religious faith as a subjective illusion, describes altruism as a form of egoism, and declares that morality is subordinate to prudence (*Klugheit*), i. e. to the individual perception of a real social utility. His German patriotism makes it seem to him a commendable example of diplomatic skill that Bismarck played off France against Austria, but an act of treason to Germany that Austria tried to play off France against Prussia. His Liberalism leads him to believe that Germany might have been unified without iron and blood on the programme of the Gotha party, if that party had possessed a leader of anything like Bismarck's ability. His attitude towards religion does not lead him to view William and Bismarck as hypocrites; he holds that their faith was sincere; but there is a touch of superior scorn in every allusion to their religion. The young Bismarck, "as regards insight into religious, social, and political matters, stands far from the summit of the culture of his time" (p. 35). Bismarck's Christianity, although sincere, is described as very "practical": Bismarck uses it with diplomatic adroitness to secure the consent of his prospective father-in-law to his betrothal, to keep himself in touch with the Conservative leader Gerlach and, through him, with Frederick William IV., and to control William I. Bismarck "was certainly a man of prayer, but only in second instance. He was accustomed to act; to await 'illumination from above' as a guide to his action did not occur to him" (p. 415). King William, on the other hand, was a man of prayer in first instance. In 1866 he announced to his ministers that, after beseeching God to show him the right way, he was convinced that the impending war with Austria was just. Klein comments: "A classical case of religious autosuggestion, which shows indeed the King's limited power of thought but also his unfeigned piety. He is always like this: he brings all his conscientious scruples to his God, and He — how could it be otherwise when a King by His grace applies to Him? — is affable" (pp. 305, 306).

One very practical question suggested by a work like this is, To what extent may the study of a statesman's mental processes, as revealed in actions that we fully understand, help us to explain conduct that we do not fully understand? Every historian, consciously or unconsciously, uses such inferences. Like a writer of fiction, he hesitates to represent his persons as moved by considerations which, according to his understanding of them, would not be likely to influence them; and, conversely, he is ready to attribute to them resolves and acts which seem "in character." In Bismarck's career the obscurest point is his treatment of the Hohenzollern candidacy for the throne of Spain. It is now well known that Bismarck favored this candidacy, if not at first, at least in 1870, and that it was through his exertions that the offer of the throne, thrice rejected, was made for the fourth time and was then accepted. Bismarck denied at the time and ever afterward — he denies in his *Reminiscences* — that this candidacy was intended to provoke France to war. The interesting question is, What other expectations, what other motives, could

he have had? His own explanations seem wholly unsatisfactory. Into this affair Klein goes very fully. To the Spanish candidacy and its diplomatic treatment up to the outbreak of the Franco-German war he devotes not less than one-sixth of this volume. His explanation — which cannot be so reproduced, in the limits of a book-review, as to be wholly intelligible — is not in all respects convincing: to the reviewer he seems to lay too little stress on the fact that, in the spring of 1870, French and Austrian military men were planning, for 1871, a joint campaign against Prussia, and on the probability that this fact was known to Bismarck. But on the whole Klein's construction seems to be more in accordance with the facts, as far as they are known, and with the character of Bismarck, than any other which has yet been attempted.

The promised second volume, dealing with Bismarck's career subsequent to 1871, can hardly be of equal interest, and the author's political bias is likely to exercise a more disturbing influence upon his judgment; but for all that, the second volume also will doubtless be worth reading.

MUNROE SMITH.

Self-Government in Canada and how it was Achieved. The Story of Lord Durham's Report. By F. BRADSHAW, B.A. [Studies in Economics and Political Science.] (London: P. S. King and Son. 1903. Pp. vi, 414.)

THE question of the federation of the South African colonies has recalled the attention of the English people to the successive steps by which the discontented provinces, which now form the Canadian Federation, were rendered contented and prosperous and led voluntarily to seek that unity which, at one time, appeared so improbable. The new edition of Lord Durham's *Report* with notes and the publication of the volume under review show how important the consideration of the question has become. Mr. Bradshaw, an Oxford graduate, has been engaged in research work in the London School of Economics and Political Science, and the bulky volume, forming one of the studies published by the school, is the result of his labors. The study is practically confined to the two provinces of Upper and Lower Canada, different conditions prevailing in the maritime provinces. In both provinces the Constitutional Act of 1791 had provided for their government by a governor appointed by the Crown, who was to be advised by an appointed council and an elected assembly. The judges and most of the important heads of departments were either sent out from England or appointed from among the friends of the governor, the post-office was imperial, and the revenues were largely supplemented from the English budget. In Lower Canada the task of the governor was complicated by the fact that about seventy-five per cent. of the inhabitants were French, speaking their native language, adhering to the *Coutume de Paris* in civil cases and accepting reluctantly English common law in criminal. The remaining twenty-five per cent. were almost entirely composed of English merchants, in whom most of the wealth of the country was settled and who

bitterly resented the efforts of the French majority to gain the political supremacy. After the conclusion of the War of 1812, the struggle between the two parties steadily increased in vehemence, culminating in 1835 in the refusal of the House of Assembly to pass the budget, and in 1837 in open rebellion. In the Upper Province, the centralization of power in the hands of a small autocratic council and the inability of the new settlers to exert any influence on the government produced the same result, and in 1837 it was apparent to the English Parliament that the days for governing the provinces of British North America as Crown colonies were at an end.

Mr. Bradshaw devotes eight chapters to a carefully written summary of the history of Canada, from the cession of 1763 to the outbreak of the rebellion, tracing the development of the antagonism to the Constitutional Act and the growing clamor for responsible government. The contest in its latest stages centered upon what was the real issue, the control of the public chest, though even this the English government were prepared to grant if a guaranty were given for a permanent civil list. But too much ill-feeling had been aroused towards the nominees of the Crown to permit of a reasonable compromise, and armed insurrections broke out under Mackenzie and Papineau. In Lower Canada the *habitant* with some exceptions refused to take up arms and the rebellion was speedily crushed by Sir John Colborne, who was in temporary command. The constitution was suspended, and the special council enacted such laws as the occasion demanded. In Upper Canada it was defeated by the loyal inhabitants, who rushed to the assistance of the governor.

These were the conditions when Lord Durham arrived at Quebec. His instructions were to report upon the conditions prevailing, and to suggest some form of government by which the French and English in Lower Canada could unite without the latter's being entirely swamped, and by which the loyalists and reformers in Upper Canada might be placed on such a footing that neither could claim supremacy, and that a loyal adherence in both to the British Crown should be maintained. The solution of the difficulty which he proposed and which was accepted by the English Parliament is contained in his *Report*—a document which has long been accepted as one of the ablest state papers of the past century. The principles which it enunciated are the foundations of the self-governing, English-speaking portions of the British Empire beyond the seas.

The arguments and proposals of Lord Durham, which Mr. Bradshaw analyzes at considerable length and with admirable tact, were radical in their results. "If it [the Crown] has to carry on the government in unison with a representative body, it must consent to carry it on by means of those in whom that representative body has confidence" is the key-note.

The union of the two provinces into one, the absolute control of the finances, public lands, and militia by the Canadian Parliament, and the establishment of a permanent civil list are among the recommendations.

The supremacy of the English-speaking inhabitants was established by the election of an equal number of members from the Upper and Lower provinces, so that in case of necessity the English minority in Lower Canada could unite with their brethren in the Upper. Lord Durham was strongly in favor of a federal instead of a legislative union, but was forced by circumstances to alter his plans. His wisdom, however, was justified by the failure of the legislative union and the adoption of the federal in 1866, but it is doubtful whether this result would have taken place without the fifteen years of preliminary training.

For long the currently received opinion as to the authorship of the *Report* was that "Wakefield thought it, Buller wrote it, Durham signed it," which rested on statements in the *Greville Memoirs*, J. S. Mill's *Autobiography*, and Martineau's *History of England during the Thirty Years' Peace*. Dr. Garnett has, however, dissected it with great skill (*English Historical Review*, XVII. 268), and his conclusions as to the relative share of each in its composition is generally concurred in by Mr. Bradshaw. After going over the evidence very carefully it seems impossible to avoid the conclusion that the first part was dictated by Lord Durham, probably to Wakefield, and that the last was the work of the same hand. That Buller furnished the copy for the second part and Wakefield for the fourth seems probable, but it is evident that they were carefully revised and amended by Lord Durham. Whatever may be the claim that others have had to its preparation, it is in the recommendations of the *Report* that its strength lies, and no one now questions Lord Durham's entire responsibility for them. Mr. Bradshaw's volume is a complete vindication of Lord Durham's statesmanship, while he has not failed to point out the irritability and want of restraint which prevented him from attaining that eminence which his talents seemed to justify.

The book contains a large but not well-chosen bibliography and an excellent index. Altogether Mr. Bradshaw has done a good piece of work, the general excellence of which covers a multitude of sins in the shape of minor errors, readily made by one who is not a native of the country.

JAMES BAIN, JR.

Zur jüngsten deutschen Vergangenheit. Von KARL LAMPRECHT, Professor der Geschichte an der Universität Leipzig. Zweiter Ergänzungsband, erste Hälfte. (Freiburg im Breisgau: Verlag von Hermann Heyfelder. 1903. Pp. xvii, 520.)

THE purpose of the first part of the second volume of Lamprecht's *Zur jüngsten deutschen Vergangenheit* is to describe and interpret *das Wirtschafts- und Socialleben Deutschlands* in the nineteenth century. Introductory to the main body of the book the author gives us a hundred pages of "connecting links" between the latter portion of the *Deutsche Geschichte* and the present work. These hundred pages, we are told, may be omitted by those who are familiar with the earlier volumes or who are acquainted with the main points of the recent history

controversy in Germany. The next one hundred and twenty pages are devoted to *das Wirtschaftsleben*, while the remaining two hundred and ninety-one pages are given up to the discussion of *die sociale Entwicklung*.

To Lamprecht the ruling idea of recent times is *die freie Unternehmung*, individual initiative, or perhaps individualism. Throughout mediæval and a large part of modern times *die Gebundenheit*, restricted action of the individual, subjection of one sort or another, in social as well as economic activity, bound men rigidly to certain rules, to tradition or superstition. Under this Europe languished for more than a thousand years, its population remaining almost stationary, its civilization benefiting only a favored few. The almost incomprehensible changes of the latter decades of the eighteenth and the first decades of the nineteenth centuries prepared the way slowly for the freedom of movement, of occupation, of thought of the modern man. This modern man has at last come: he has multiplied the wants of men twenty-fold (p. 153); he has reduced the size of the earth to one-tenth of what it was before; he measures time by the second, not by the day; he has made the earth yield up fuel for all the needs of the race; he has taught it to support a population of from three to five times as many souls as formerly; his enterprise knows no limitation and his invention no bounds. To-day it is honorable to work, whereas formerly idleness or rapine or war were the sole ennobling occupations of men. Under the inspiration of this new, this miraculous man, iron has taken the place of clumsy wood, chemistry has succeeded alchemy, and electricity has been made to light men's houses, transport their burdens, cook their meals.

But this intense and unbridled individualism has brought us face to face with problems of vast import. The makers of our modern conditions, the "free undertakers," have made themselves the masters of the great masses of the population, they have inaugurated the rule of the ablest, the most masterful. In doing this they have forced a social revolution which touches the life of every man. The outlining of this social readjustment — *die sociale Entwicklung* — composes the latter portion of the volume before us.

The social changes due to the operation of the principle of freedom of vocation and movement and to the discoveries and inventions of recent times Lamprecht describes in an admirable way in the six closing chapters of his new volume. Men no longer follow a calling for a livelihood, but they work for the very love of it, for excitement, and this is especially true of the *Geistesleben*. Complete absorption in one's work, self-annihilation in order to produce something which astounds, to turn out a "masterpiece every year," to conquer — that seems to be the rule. As an example of this the present status and aim of journalism are cited. The old-fashioned, culture-seeking scholar and artist have disappeared.

In the third and fourth chapters of this section of the book we are shown how the older forms of industry, commerce, and agriculture have disappeared, and how new forms have been developed: the "hand-worker" with his small establishment and a few helpers has been forced

to the wall, the old-time house-to-house peddler no longer tramps the public highway. Instead there have sprung up gigantic establishments which absorb all the activities in their particular branches, which have the world for a market, and which send out their own agents in all directions. There is thus no place for the middleman; but two classes are left, the employer and the employed, the absolute master and the dependent day-laborer.

The same course of things is traced in the chapter dealing with agriculture. Central and south Germany have become industrial; the peasants emigrated to America in great numbers, and the Poles and Russians took their places. By 1880 the eastern provinces of Prussia were largely in the hands of the new-comers. The government sought to remedy the evil (pp. 396-405) by purchasing large areas of land from the greater landlords and then selling on easy terms to peasant farmers. Much good seemed to be done before 1895 in this direction. Still the migration to the industrial centers continued, and thousands sought homes in the United States.

Another problem had been in the way for years: foreign (particularly American) competition in agriculture kept the price of farm products low with the tendency to go still lower. In 1879 the new German Empire undertook to remedy these evils by a protective tariff and by the payment of bounties on sugar and other agricultural products; but the tendency to create great estates owned and controlled by capitalists at once became manifest, and the small farmer was scarcely any better off than before. Despite all efforts to the contrary, the population continued to divide into two sharply defined classes with antagonistic interests and aims. Besides this the cities continued to grow enormously, and the population almost doubled in the forty years after 1860. The principle of unrestrained competition instead of bringing relief brought only the conviction that the vast body of the people were bound once for all to the few strong and masterly minds—the captains of industry and commerce, the “self-made man” becoming rarer as the years went by.

Gradually the so-called “fourth estate” came into full realization of its existence, and universal education taught it still better to know its powers and how to exercise them. This class combined first in the form of labor-unions, which rapidly merged into a great political party. Meanwhile the capitalists united their strength, first in companies, then in trusts, and finally in still greater trusts which almost absolutely controlled both the purchasing and the selling prices of a large number of commodities. So the end of the nineteenth century brought the two great classes of society face to face in sharpest opposition and armed as for a conflict. Both were trained, determined, and powerful, both were essential to modern civilization.

To the author this state of things cannot long endure. Some bounds must be set each party. And already a beginning has been made by the capitalist class in controlling production and the market; already the principle of free competition and universal opportunity has run its

course and a second age of *Gebundenheit* is at its door. It will be the state this time which will step in and regulate and control, giving to each man his due and directing what the vocations of individuals shall be. Is not this the teaching of Karl Marx? Indeed our author is outspoken in approval of many of the great socialist's views. There is thus not so much that is new in the volume before us; its method, its combinations, as well as its deductions, are what mark the work as one of great importance. The question as to whether this is history need not concern those who believe that history has to do with all the thoughts and acts of men.

Lamprecht's next volume will treat of the political history of Germany in recent times, and until that appears the historian must in a measure suspend his final judgment of the work as a whole. One thing must be said, these new volumes prove conclusively the breadth and depth of their author's culture as well as the thoroughness of his investigations.

WILLIAM E. DODD.

History of Philosophy. By William Turner, S.T.D. (Boston and London, Ginn and Co., 1903, pp. x, 674.) The author of this history candidly admits that it is written from a particular standpoint, that of Roman Catholicism (preface, v), but throughout his work he shows also a desire to be both comprehensive and fair-minded, and he lays claim to the empirical or *a posteriori* method. His book, too, is confessedly no more than a text-book, giving in outline the systems of philosophy from the earliest times down even to the present day and making some effort besides to indicate the historical relations of the different systems to each other; yet it is really both more exhaustive and in spite of its exaggeration of the importance of Scholasticism often more scholarly than many more pretentious works; and its estimates of the philosophers, even of those of quite recent times, have the marks of study and appreciation. In fact Dr. Turner's *History of Philosophy* certainly deserves a place among all those works in philosophy, of which Protestants have written many, that are, I will not say theologically apologetic, but in spite of their common conceit of the *a posteriori* method thoroughly imbued with the idea that philosophy, though "determining to a large extent the literary, artistic, political, and industrial life of the world" (p. 2), has really no vital influence on the religious life, "the religious view and the rationalistic view of every question" being essentially distinct (p. 215). Perhaps of such books the real value is more in the history which they make than in the history which they recount, since they invariably start controversy, and even their own immediate patrons are never wholly protected against bringing the religious view and the rationalistic view into more intimate relationship.

Naturally Dr. Turner feels his keenest interest in Scholasticism, and it must be conceded that his reproach (preface, i) of those who either "dismiss the Scholastic Period with a paragraph" or "treat it from the point of view of German Transcendentalism" is by no means undeserved. True, with nearly a third of his book devoted to the Scholastic philosophy,

he must seem to have given his history false proportions, but the practice of others, not less biased in other directions, is a fair excuse, and any student of the history of philosophy, whatever his viewpoint, must find worth in so thorough a summary of a much-neglected period. The conciseness of many of the expositions, however, and the occasional introduction of somewhat technical terms without adequate explanation are bound to make the reading rather difficult. A. H. LLOYD.

The third volume of the English translation of Helmholt's *History of the World* (New York, Dodd, Mead, and Company, 1903, pp. xvi, 762) is devoted to western Asia and Africa. Babylonia, Assyria, Elam, Syria, Armenia, Media, Persia, Phœnicia, Carthage, Israel, and Arabia before Islam are treated by Hugo Winckler; Mohammedan western Asia and Africa, except Egypt, by Heinrich Schurtz; and Egypt, by Carl Niebuhr. Considering the enormous mass of matter crowded into a comparatively small space, the literary form of the work is good — the narrative is generally clear, and there is no appearance of hurry; it is a pity, however, that in many cases the cumbrous German spelling of proper names has been followed in the English translation, for example, "Sendschirli" instead of Zenjirli. In the history of the ancient world the avowed purpose of the writers is to depend on nothing but documentary evidence; and the description of the native tribes of Africa is probably the fullest and most accurate that has yet appeared. A good point in the work is the introduction of ethnological material, though it must be confessed that the ethnological discussions are often unsatisfactory. A little space is given to the higher religions — Babylonian, Hebrew, Aramean, Egyptian, Persian, Mohammedan — but none to the cults of the African tribes, though these last are interesting and important. In the construction of the obscure accounts that have come down to us of the populations of western Asia in the second millennium B. C. a proper reserve is sometimes shown — the Hittites, for example, their origin, race, and language, are left as an unsolved problem. In the later history, also, recent researches have raised more questions than they have answered: Cyrus's position before he became King of Persia is by no means clear. Early African history is involved in doubt: the origin of the negro is still unknown, though Schurtz suggests an historical relation between negroes and Australians. In some cases hypothetical constructions are given as history. Winckler has incorporated in his narrative some of his favorite theories: he regards the whole of Western-Asiatic civilization as proceeding from Babylonia — a thesis of which there is no definite historical proof; he decides that the Phœnicians could not have given the final form to our alphabet, on the ground that such an achievement must have been the work of a great center of culture, and that this center could only have been Babylonia — a point on which we have not sufficient evidence to form a final opinion, the material having increased greatly in the last few years, and the views of scholars differing accordingly; he stands almost alone in representing David as the founder of the cult of

Yahweh (Jehovah) in Northern Israel. The personal point of view comes out in the account of the procedures of modern European nations in Africa; the occupation of territory by France and Germany is represented as normal expansion, English occupation as grasping and selfish. In spite of these blemishes, the volume is a notable contribution to our popular historical material. Its value is increased by numerous maps and illustrations.

C. H. Toy.

The third *Lieferung* of Liebermann's *Gesetze der Angel-Sachsen*, containing the preface and introductory matter (lxii pp.) and text (pp. 373-675), completes the first volume. The text contains in the first part miscellaneous Anglo-Saxon laws and legal documents not connected with the name of any king, and in the second the Anglo-Latin legal writings of the first half of the twelfth century associated with the names of Cnut, Edward the Confessor, William I., and Henry I. In the first part, of especial interest are the numerous formulæ for ordeals giving the ecclesiastical ritual in full, some not before in print. In the second part, easily the most important is the new text of the *Leges Henrici*, but it is no small thing to have in definitive texts the legislation attributed to William and the portions not printed earlier in the volume of the *Quadripartitus*, the *Instituta Cnuti*, the *Consiliatio Cnuti*, and the *Leges Edwardi Confessoris*. In his preface, dated in the spring of 1903, the editor announces that the second volume, containing his notes, was then practically ready for the press, and the third, the glossaries, one-third ready.

G. B. A.

The Decline of the Missi Dominici in Frankish Gaul. By James Westfall Thompson. (Chicago, University of Chicago Decennial Publications. Reprinted from Vol. IV., 1903, pp. 22.) Dr. Thompson treats this subject as a "chapter in the history of feudal origins." In an interesting discussion he shows the manner in which the "authority of the *Missi Dominici* fell to bishops, dukes and counts in the extent of the jurisdiction of each." He traces the "increasing localization of the *Missi Dominici*" until, in 884, he records the last "recognition of the *Missi Dominici* as a governmental institution." Then the term was applied to the members of the clergy appointed to maintain order.

His article, although containing little that is entirely new, is the best treatment of the subject that we have.

D. C. M.

Facsimiles of Royal and other Charters in the British Museum, Vol. I., William I. to Richard I., edited by George F. Warner and Henry J. Ellis, is a fine example of modern facsimile-making and at the same time a fine example of editorial work. The charters reproduced are themselves beautiful specimens of medieval charter-writing, and they are with slight exceptions in perfect condition. An extended text of each document is printed, with extensions indicated by italic type, and the editorial comment is very complete, especially as concerns the chief personages, with full references to both manuscript and printed sources and secondary

works. The only thing one misses is an explicit reference to the place or places in which any of the charters have been previously printed, though this is often indirectly given. Seventy-seven charters are reproduced, of which twenty are royal; one is given from each of the first two Norman reigns, while eleven are dated in Henry I.'s, twenty-two in Stephen's, thirty-four in Henry II.'s, and eight in Richard's. There is in the list no document of importance previously unknown, but it is a great advantage to have in facsimile many already in print in full or in part. Institutionally the most interesting is No. 17 — here dated 1138–1148, perhaps 1138–1140 — which contains the very important passage on scutage, already used by Mr. Round, which shows conclusively that at that date it had been long enough in use to be expected at either one of two rates, twenty shillings or one mark on the knight's fee. No. 55 is the earliest known original record of a fine, dated June 29, 1176, printed in Round's *Feudal England*, page 514. The "sheriff of Lewes," in the address of No. 31, should be compared with the "sheriff of the honor of Pevensey" in No. 1205 of Round's *Calendar of Documents in France*. The same document gives evidence of the existence of a merchant gild at Lewes as early as the Domesday Survey. Other interesting documents are noted in the editor's preface. It is to be hoped that this very creditable series of facsimiles will be speedily continued by the authorities of the museum.

GEORGE B. ADAMS.

The four *Studies concerning Adrian IV.* which Professor Oliver Joseph Thatcher contributes to the fourth volume of the "Decennial Publications" of the University of Chicago (Chicago, The University Press, 1903, pp. 88) are prestudies for his forthcoming life of that pope. The first two deal with questions raised by the discussion of the much-discussed bull *Laudabiliter*. They aim to make more accessible to English readers the conclusions reached in this controversy a decade ago by Scheffer-Boichorst; and to the memory of that eminent scholar, Mr. Thatcher's "teacher and friend," these studies are dedicated. Like his master, Dr. Thatcher upholds the credibility of the pope's offer of Ireland to the English king, whether the bull be genuine or not; and like his master, he denies the genuineness of the bull. To the demonstration of these two theses the two studies are respectively devoted; and while footing frankly on the work of Scheffer-Boichorst, they somewhat expand his arguments and show excellent knowledge of the literature as a whole. Yet Mr. Thatcher surely goes too far when he ascribes to Dr. Liebermann, in 1892, the earliest suggestion that the credibility of the grant does not depend on the genuineness of the bull. Pflugk-Hartung had not less clearly pointed this out; nor was he the first to do so. Dr. Thatcher's third study breaks new ground. It deals with "the supposed letter of Henry II. to Adrian IV." on that pope's accession, and by a searching analysis discloses the best of reasons for believing this hitherto unimpeached document a mere student's exercise. The subject of his fourth study is the letter of Gerhoh of Reichersberg

to Pope Adrian *de novitatibus hujus temporis*—i. e. on the heresies and abuses of the twelfth-century church. This letter—it is really a treatise—is here for the first time published in full from the one extant manuscript, now in the monastic library of Admont in Austria. Enriched by Dr. Thatcher with an introduction and notes, it claims much more than the half of his eighty-eight quarto pages. G. L. B.

The Story of Siena and San Gimignano. By Edmund G. Gardner. (London, J. M. Dent and Company; New York, The Macmillan Company, 1902, pp. xiii, 391.) Now that Siena has been discovered, there is taking place the usual rush of literary *conquistadores* thither. Among the first-fruits of their occupation is this work, in which even a friendly search will hardly discover any of the qualities of the strong, brown soil wherein it has its roots. The historical sketch, which covers about one-third of the book, never by any chance penetrates below the surface, nor makes really intelligible the movement of Sienese politics. The development of the constitution, the struggle of the classes, are enigmas to the author, which he solves by ignoring. The treatment of the arts is more satisfactory, chiefly because in this section he makes no pretense to do more than present the conclusions of a few eminent predecessors. There is an entire absence of originality—a rather fatal defect in a work of criticism—but we note gratefully that no effort is made to hide this deficiency under a tumultuous rhetoric. In fact a sustained Christian humility is, if not the only virtue of the book, at least the most conspicuous. Fully one-half the chapters, on being strung together, constitute a complete guide to the monuments of Siena. Here the author is more at home. His intimate acquaintance with the scene, his liberal though not always discreet use of the material of his predecessors, assure him a prominent place in the pedestrian ranks of the growing army of useful and uninspired Italian ciceroni. If it is not much to have soared above the dry pedantry of Baedeker, it is somewhat to take rank with Heywood and Olcott, who now no longer hold the field unchallenged.

The book closes with two chapters in a more elevated spirit on that precious relic of the middle ages, San Gimignano. Excellent photographs and worse than mediocre drawings are scattered among the pages. F. S.

It is a well-conceived and well-written book which Dr. Joseph Combet, professor of history in the lycée of Vesoul, has just given us on *Louis XI. et le Saint-Siège, 1461-1483* (Paris, Hachette, 1903, pp. xxviii, 320). His materials he has found mainly, not in the letters of Louis, whose successive volumes have been throwing so vivid a light upon that prince's character and policy, but in Italian archives—at Milan, at Mantua, at Venice, and, above all, at Rome. From his personal researches in these Dr. Combet brings back not only the cogent narrative of his text, but a hundred pages of appended documents. The book offers us no new conception of Louis's character—he is still “the universal spider, spinning

day and night new schemes." "Freedom from scruple, confidence in fortune, the ability to choose men or to win them, '*grande largesse*' (to borrow the phrase of Commynes), a marked preference for petty intrigues and tortuous methods, extreme finesse which sometimes degenerates into vulgar trickery, incomparable suppleness, cold-blooded cruelty, forgetfulness of past injuries, a very clear notion of the absolute power of the state, these are in brief," says M. Combet, "the characteristic traits of the so complex nature of Louis XI." Nor does this latest writer differ materially from the earlier as to the aims which dominated Louis's relations with the popes—at home to gain the absolute control of the Gallican church, in Italy to play the arbiter, biding his chance to play the master. It is the sinuous path that led to these goals which M. Combet's researches illumine. The popes themselves, as he shows, were Louis's masters in diplomacy; but he soon surpassed his teachers. "With Pius II. he completed his apprenticeship"; and, if Pius outwitted him, "he flouted Paul II. and forced Sixtus IV. to a division of the spoils." Nor will Dr. Combet admit, as historians have been wont to do, that on his death-bed the King sacrificed policy to piety. Old and sick, he seemed an easy dupe; but it was only the more effectively to dupe his adversaries. He was made arbiter of the quarrel between Rome and Venice. The pope even offered him the investiture of Naples. He was in very truth the suzerain of Italy, where his prestige had supplanted that of Empire and of Papacy and opened the way for a Charles VIII. and a Louis XII. In France a clergy now essentially royal seemed about to become a new instrument of despotism. Louis "*recueille les fruits de sa politique, fait céder la papauté, sauvegarde les droits de la royauté et meurt en triomphateur.*"

G. L. B.

Mémoires de Philippe de Commynes. Nouvelle édition publiée avec une introduction et des notes par B. de Mandrot. [Collection de Textes pour servir à l'Étude et à l'Enseignement de l'Histoire.] (Paris, Alphonse Picard et Fils, 1901, 1903. Two volumes, pp. cxi, 473, 483.) Of the one hundred and twenty-three editions which attest the extraordinary popularity of the *Mémoires* of Commynes, only one, that prepared by Mlle. Dupont for the Société de l'Histoire de France and published between 1840 and 1847, is really good, and this has become exceedingly difficult to obtain. Since its appearance new manuscripts have come to light, and the progress of historical studies has added considerably to our knowledge of Commynes and his time, so that there is ample opportunity for a new edition; and lovers of the *Mémoires* will not be disappointed with the way in which the latest editor has performed his task. M. de Mandrot has been the first to establish the text of the work by a careful collation of the various manuscripts and early imprints, and the first to utilize the most important manuscript of all, a volume once the property of the niece of Commynes, Anne de Polygnac, Comtesse de la Rochefoucauld, upon which his edition is based. Besides furnishing the best readings, this manuscript is the only one which contains the last two books of

the *Mémoires*, covering the reign of Charles VIII. The editor has supplied a substantial introduction and an abundance of historical notes, and has produced an edition worthy of the admirable series in which it is issued.

C. H. H.

A second publication edited by Mr. Hubert Hall's pupils under his direction calls attention to the value of the work which he is doing as instructor in palæography and diplomatics in the London School of Economics and Political Science. The present volume is *The Pipe Roll of the Bishopric of Winchester, 1208-1209* (London, P. S. King and Son, 1903, pp. xlviii, 100), the earliest of these rolls surviving to the present time. The book contains a general introduction discussing important subjects suggested by the record, tables analyzing and combining the accounts, an extension of the text, a glossary, and an index. The text, occupying eighty-four small folio pages, is a most important addition to our early economic sources in print, containing the accounts of thirty-seven manors, and it also adds slightly to our knowledge of the movements of the king and court during this year. The accounts are those of the bishop's manorial officers rendered at his exchequer at Wolvesey and are recorded in general imitation of those of the royal exchequer, though confined to the manorial returns. The bishop's exchequer and the method of making up the record and classifying the accounts are discussed in the introduction.

G. B. A.

The Great Marquess. Life and Times of Archibald Eighth Earl, and First (and only) Marquess of Argyll (1607-1661). By John Willcock. (New York, Charles Scribner's Sons, 1903, pp. xxiii, 396.) This large volume is essentially controversial in character. Its purpose is to defend the reputation of a religious leader whose harsh treatment at the hands of modern historians is unwelcome to his coreligionists. Ordinarily, such works deserve scant attention from any one whose interests are historical and not theological; but the present volume rises above the ordinary works of its kind. It is written in a spirit of entire courtesy which illustrates in a striking manner how far we have left behind us the times of theological strife with which it deals. It is, moreover, written with unusual fullness of knowledge, and with a keenness of interest which adds charm to the narrative, although it is not conducive to historical aloofness. The author relates in great fullness and with some new information the life and times of the Great Marquess, yet after all one cannot feel that he has really discredited Mr. Gardiner's conclusions. The volume is admirably printed and has ten illustrations, mostly portraits. There is an appendix of especial interest consisting of some twenty pages of letters and documents, some of them hitherto unpublished.

G. J.

Oliver Cromwell, H.H. The Lord Protector and the Royalist Insurrection against his Government of March, 1655. By Sir Reginald F.D. Palgrave, K.C.B. (London, Sampson Low, Marston, and Company,

1903, pp. xiii, 106.) We have here a recapitulation, with some variations and scanty additions, of material already several times published, first in the *Quarterly Review* (April, 1886), in the *Times* (January 12, 1888), in the *English Historical Review* (July, October, 1888; January, 1889), and finally in a bulky book entitled *Oliver Cromwell, an Appreciation* (1890). Palgrave's attempt in all this writing has been to prove that Cromwell himself manufactured the plots against his own life. To reach this conclusion, he quotes broken phrases without regard to their context; makes unjustifiable inferences from dark and doubtful utterances; relies upon the prejudiced assertions of the enemies of Cromwell; and takes statements of men who were quoting at third and fourth hand as if these were veritable excerpts from Holy Writ. Such methods never can elicit the truth, and this failure in Palgrave's case was exposed by Mr. Firth in the *English Historical Review* for 1888 and 1889. Point by point, the historian conclusively proved that Palgrave had not a shred of evidence for his contentions. Later, Mr. Gardiner, provoked by a challenge in respect to Henshaw's Plot, replied in a crushing article published in the *Athenæum* (May, 1898). He concluded that "Sir Reginald was hopelessly wrong," and added that Palgrave's use of quotations furnished "a sad example of the result of a fixed idea in preventing the holder of it from observing the commonest rules of serious inquiry."

These criticisms have produced some effect. Palgrave still insists upon his main contention, but his position has been considerably modified. Thus, though still declaring that Cromwell superintended the plot, he admits that possibly he was not aware of the plans of the army officers to mislead thoughtless royalists who had come to England to head an insurrection (p. 78). His tone is much more temperate; he wishes, he says, to treat the Protector with "the respectful consideration that he justly commands," and though lamentably failing in this, one must be grateful for the attempt. Finally, he modifies his former arguments, lays less stress upon some of them, and omits others altogether.

Moreover, he properly lays stress upon the fact that Cromwell was not sole master in England, but as the servant of the army was forced to do many things which he would have preferred not to do. Here he agrees with Gardiner. In another respect he commendably follows Firth, and properly emphasizes the fact that the attempt to make Cromwell king was an attempt to establish a civil government by overthrowing the government of the sword.

R. C. H. C.

Professor Alfred Cauchie of the University of Louvain has issued in pamphlet form his recent articles in the *Revue d'Histoire Ecclésiastique* entitled *Le Gallicanisme en Sorbonne d'après la Correspondance de Bargezzini, Nonce de France* (Louvain, 1903, pp. 52). The study is based upon the unpublished letters of the nuncio in the period from 1668 to 1671, preserved in the Vatican archives, and indicates that the Gallican movement was more active in these years than has commonly been supposed.

C. H. H.

Economics and Politics in Maryland, 1720-1750, and the Public Services of Daniel Dulany the Elder. By St. George Leakin Sioussat, Ph. D. [Johns Hopkins University Studies in Historical and Political Science, Series XXI., Nos. 6-7.] (Baltimore, The Johns Hopkins Press, 1903, pp. 84.) This monograph deals with a period in Maryland history on which comparatively little has been written, and the material to which the writer must go is still almost wholly only in manuscript; a portion of the manuscript records for a few years, also, are so far decayed as to be in a considerable measure illegible. The salient features of the period, as Dr. Sioussat in some measure makes clear, are peaceful relations with the rest of the world, but vigorous and unceasing strife within, which strife was primarily due to a conscious need of a regulation of the tobacco industry confronted with the jealousy of the planters toward the officers, the lawyers, and the clergy, who were paid for their services in tobacco. This condition gave rise to numerous other disputes, was instrumental in effecting the issue of paper money, in giving opportunity and prominence to the founder of the influential Dulany family, hastened the introduction and progress of general agriculture, and through such movements contributed largely to the cause of popular government.

Dr. Sioussat's collection of material is better than his use of it; his style lacks unity, clearness, and life. He seems, also, to labor too much under the impression that the value of his work lies in throwing here and there a ray of light on the succeeding period rather than in elucidating thoroughly the one he had in hand. NEWTON D. MERENESS.

Mr. Augustus C. Buell's *Sir William Johnson* in the Appletons' "Series of Historic Lives" (New York, 1903, pp. vii, 281) is a very readable biography of a man who exerted a considerable influence upon the history of the colonies in general and the history of New York in particular. One will hardly turn to this book for new information on the famous Indian agent; Stone's *Life* still remains the most exhaustive and authoritative account of Johnson, upon which such subsequent writers as Buell and Griffis have evidently drawn. But the general reader, for whose benefit the series is planned, will find the volume attractive. It seems a worthy companion of the two excellent volumes from the pen of Mr. Thwaites. As is perhaps natural with biographers, Mr. Buell takes on the whole a favorable view of his subject, and as a rule gives him the benefit of any doubts. He is at particular pains, for example, to defend Johnson against the attacks made upon his private life. Especially does the author resent the insinuations of Griffis and the aspersions which Parkman with his "Boston point of view" casts upon the character of Johnson and the woman whom he married, Katharine Weisenberg. The baronet's cohabitation with Indian women, when it seems exceedingly probable that he might have married some white woman, Buell explains on the ground of "statecraft", that Johnson "wanted a housewife who could make his Indian guests . . . feel at home." "His fortunes depended on his influence with the Indians. Without that he could

never have been anything more than a settler in the Mohawk Valley; richer perhaps than his neighbors but still only a settler. . . . No white women could have made Sir William's red henchmen feel at home in his house as Caroline Hendrick or Mary Brant could."

Johnson's connection with the Congress of 1754 leads the author to discuss the famous Albany convention, which he emphasizes perhaps too strongly as a "congress of delegates chosen for the specific purpose of forming a Colonial Union." Certainly the instructions that several of the colonies gave their delegates were not very specific on this point, and, strangely enough, in his enumeration of the colonies represented in the congress Mr. Buell omits the very colony (Massachusetts) whose instructions were most specifically in favor of the scheme.

Like others who have written of Sir William Johnson, Mr. Buell cannot resist the temptation to speculate on the position which the baronet would probably have taken, had he lived, in the Revolutionary War. Would Johnson in the end have stood on the side of the revolting colonists or would he have helped his king to crush the revolt? Perhaps for the very reason that the question cannot be answered, the topic is inviting, and the present author has handled it in a spirit both sane and judicious. He adds a bit of new testimony by publishing in the volume a statement made by Johnson's son-in-law, Daniel Claus. The statement contains an account of a conversation between Mollie Brant and a chief of the Senecas, during the course of which Mollie is reported to have "told the chief that she had often heard Sir William declare his fixed intention to live and die a firm adherent of the king."

C. H. RAMMELKAMP.

Arnold's March from Cambridge to Quebec. A Critical Study. By Justin H. Smith. (New York, G. P. Putnam's Sons, 1903, pp. xix, 498). In what seems to be a day of ephemeral but salable publications, it is a pleasure to find a volume of five hundred pages devoted to a critical study of the details of a military expedition. The ill-fated enterprise of Arnold against Quebec was such a plunge through the wilderness and along uncharted routes that more or less dispute has existed among writers and students concerning the identification of the exact way and the reconciliation of the former names of places and their present names. To solve some of these riddles was the purpose of Professor Smith. The thesis is also laid down and proved by the context that difficulties of the way rendered success impossible. The way led by the Kennebec and Dead rivers, skirting Lake Megantic and thence down the Chaudière river. The author first examines the maps and charts bearing on this route, and the journals kept by the members of the expedition. Having heard the witnesses, he considers every detail of the journey, reconciling names and identifying places in such a manner as to suggest the thorough personal investigation that he must have given the region. It would be manifestly impossible to pass judgment on the correctness of these identifications unless one were equally familiar with the localities. The copy of Arnold's journal among the Sparks papers in the library of Harvard

University is the document mainly followed. The recital is confined closely to the subject and closes abruptly with the arrival at Quebec. One unique feature of the book is the number of pages devoted to notes, which almost exactly equals the number of pages in the narrative. These notes are devoted largely to a refutation of points made in Codman's *Arnold's Expedition to Canada* (1901). E. E. S.

The Confiscation of John Chandler's Estate. By Andrew McFarland Davis. (Boston, Houghton, Mifflin, and Co., 1903, pp. xiii, 296.) This volume, with its 117 pages of text supported by numerous foot-notes, and its 179 pages of appendix containing legal documents, is neither a romance nor a popular biography. Its aridity is almost perfect, but, for the student of the Loyalists, it is a mine of information. In no other source can the humdrum work of confiscating a Loyalist's estate be followed in all its irksome details. After an introductory chapter which apologizes for the book, there is a chapter tracing the hero's ancestry, picturing his monotonous prosperity until, in 1775, he offended the Whig party and was compelled to flee to Boston. There is a brief account of his flight to Halifax and thence to London, together with the important facts of the confiscation of his estate. In a chapter entitled "Legislation" there is a chronicle of the early measures taken in Massachusetts for the protection of the abandoned property of Loyalists, and the later acts for confiscating it. Laws and resolves giving to the Loyalist's creditors an opportunity to sue the estates for debts are discussed, as well as the laws for banishment or preventing the refugee's return. There follow chapters on the value of the estate, an analysis of the papers on the probate files showing the actual process of confiscating in a legal way, and finally two chapters on the court records and archives, and the London transcripts showing Chandler's attempt to get a compensation for his losses. The appendix contains copies of every paper relating to the confiscation — much valuable original material. C. H. VAN TYNE.

Turgot and the Six Edicts. By Robert Perry Shepherd, Ph.D. [Columbia University Studies in History, Economics, and Public Law, Vol. XVIII., No. 2.] (New York, The Columbia University Press, The Macmillan Company, 1903, pp. 214.) The ideas of the Enlightened Despotism, though propagated chiefly by Frenchmen, never had a trial in that country except during the twenty-one months in which Turgot held the office of controller-general of the finances (1774-1776). The real value and the wisdom of the reforms projected by this enlightened minister were such that some historians, who have failed to consider the complexity of the conditions out of which the Revolution developed, have overestimated their importance and have fancied that the Revolution might have been averted had Turgot remained in office and had he been permitted to carry out his programme. Dr. Shepherd seems to have assumed the correctness of these views. Whether these views are or are not correct does not affect the interesting character of Turgot's at-

tempted reforms, of which the most important were included in the six edicts of February, 1776, which dealt with the *corvée*, the Paris *octroi*, the Paris markets, the craft guilds, the Poissy exchange, and the tax on tallow. These edicts Dr. Shepherd has presented for the first time in English translation, and has accompanied them with explanatory chapters which constitute the most extended account of Turgot's reforms yet published in English. It is disappointing to find in such a work a number of annoying little slips, such as the hybrid "prévôt of merchants" (p. 13); the application of the name Parlement Maupeou to the temporary *Chambre royale* of 1753 (p. 14); the anachronism of placing the States-General of 1614 under the ministry of Richelieu (p. 35); the error of "Hue Miroménil" for Hue de Miromesnil (p. 22); and the lack of historical perspective shown in such sentences as, "It is probable that no such chaos of economic conditions has ever at any time confronted any Minister of Finance in any nation" (p. 41). Since Dr. Shepherd intends his bibliography to be complete, it is worth noting that the *Catalogue* of the library of the Peabody Institute furnishes references to several additional articles in periodicals, and the *Catalogue* of the President White Library of Cornell University contains this additional title, *Les hommes de la Révolution par un publiciste. Turgot Paris,, 1876*), a pamphlet of 125 pages. The bibliographical details are not given with sufficient care or fullness. The book will prove useful to the English reader, but the student who uses French will prefer to go to the originals and to consult such writers as Foncin and Neymarck. The discussion of the German writings concerning Turgot in the first chapter of Part II. is worthy of special note.

G. M. D.

Early Political Machinery in the United States, by George D. Luetscher (Philadelphia, 1903, pp. 160) is an essay presented at the University of Pennsylvania for the Doctor's degree. Mr. Luetscher finds that the beginning of great changes in methods of nomination dates from the nationalization of parties under the administrations of Washington. Previously, the masses were "not involved in political calculations, save at times of great crisis." Such extra-legal machinery as existed was temporary. "The nation was therefore inexperienced in democratic organization when the administrative measures of Hamilton supplied a permanent issue upon which the people took sides." The growth of permanent party machinery during the thirty years following forms the subject of Mr. Luetscher's thesis. There are four chapters dealing respectively with "The Limitations upon Suffrage," "The Democratic Societies," "The Genesis of the County Convention," and "State Nominating Machinery." The first two chapters are well done. The conclusions drawn at page 15, from statistics given at page 16, are, however, not altogether correct. But the last two chapters are, from the nature of the case, unsatisfactory. The field is so broad and has been worked so little, that a lifetime of patient investigation would scarcely be more than sufficient for a comprehensive treatment such as, in the present

case, has been compressed within a hundred pages: Such work is, however, the natural result of the present requirements for advanced degrees: the inexperienced student selects a subject big enough to fill the best years of his life, only to find that copy must be in by return mail. There is no adequate bibliography, and no index at all.

CARL BECKER.

Letters and Papers of Admiral of the Fleet Sir Thomas Byam Martin, G.C.B., edited by Sir Richard Vesey Hamilton, G.C.B., Admiral. Vol. I. (London, Printed for the Navy Records Society, 1903, pp. xxi, 384.) This volume completes the edition of Byam Martin's papers. Volumes II. and III., previously issued (*vide* AM. HIST. REV., V. 393; VII. 181), covered Martin's career from 1808 to his death in 1854, the present volume his earlier service as midshipman, lieutenant, and commander. Martin was born in 1773, the son of Sir Henry Martin, a captain of 1757, who died, comptroller of the navy, in 1794. In this volume fifty pages are allotted to Sir Henry's correspondence, including six letters from Captain Sir Erasmus Gower, written while conducting Lord Macartney to China in 1793, and eight of the year 1786 from Prince William (William IV.) lamenting a disappointment in love with Byam Martin's sister. The latter incident Sir Henry closed without incurring the resentment of the prince. William in fact professed an abiding interest in the family, a promise apparently meant but, according to Byam Martin, not kept. Of William's passive good-will there is no doubt.

Chiefly under the prince in his cruises as captain of the *Pegasus* and *Andromeda* in American waters, Martin passed his junior years of service, 1786-1789. His commission as lieutenant he received in 1790; as commander and captain, at the age of twenty, in 1793. His career from 1794 to 1807 is here given in the shape of letters. In this interval he captured the frigates *Tamise* in 1796 and *Immortalité* in 1798, captured or destroyed three convoys in 1799-1800, cut out the Spanish gunboats at Corunna in 1801, and saved the crews of the *Magnificent* off Brest and the *Venerable* off Torbay in 1804. Chiefly but not solely concerned with the years prior to 1794 are Martin's reminiscences and notes, which occupy the first half of this volume. Written apparently about 1833, they are at times inaccurate but never uninteresting. Martin, who at the age of eight attempted, with his brother's assistance, to thrash Prince William, then a midshipman of fifteen, is not conventional in his comments even upon royalty. The Duke of Kent's "aimiable little daughter, our future Queen," he terms "quite a humpty-dumpty"; and King George's command to Prince William, while on the *Pegasus*, to enter no foreign port, Martin ascribes to the desire to veil royal indiscretions within the domestic circle. By the description of William's uproarious celebration of his birthday on board, the precaution, it appears, was in place. These reminiscences, notwithstanding much humor in them, are instructive and on the whole serious. The introduction and editing of the volume is of the same excellence as in its predecessors.

H. M. BOWMAN.

George Canning and his Times. A Political Study. By J. A. R. Marriott, M.A. (London, John Murray, 1903, pp. viii, 150.) The substance of Mr. Marriott's book consists of a rearrangement of a lecture delivered at Cambridge, and is rather an essay on the brief career of Canning as foreign minister than a biography, though a short description is given of Canning's rise as a politician. As an essay the work is wholly satisfactory, being readable and containing many interesting analyses of conditions surrounding Canning's life, and of personal characteristics, which largely molded his career and determined its limitations. Thus Mr. Marriott finds that Canning was distrusted by his contemporaries because he was too "clever", and too fond of theatrical display. His contributions to the *Anti-Jacobin* and his readiness in general with his pen created a feeling that solidity was lacking; while in debate his eagerness to grasp and use dramatic incidents seemed to indicate a preference for form rather than substance. No one, in fact, that has followed through the pages of Hansard the debates on the results of the Congress of Verona can fail to appreciate either Canning's "cleverness," or the skill with which he trapped his partially-informed opponents into advancing the very arguments he was best prepared to meet. Mr. Marriott would have us believe also that Canning was equally clever as a diplomat, ranking him above Castlereagh in this field, though acknowledging that Canning had no more actual sympathy with liberal movements *per se* than had his unpopular predecessor. But this diplomatic ability surely requires much proof. The man who defended the failure of his first important diplomatic negotiation by pleading that he had been hoodwinked by the French ministers cannot claim to rank in skill with Castlereagh.

If regarded as a thorough study, Mr. Marriott's work is not so satisfactory, not so much because of definite errors as because of careless statements. The author certainly knows better than to confuse the inception of the Holy Alliance of 1815 with the European Concert of 1818, but he assuredly leaves the impression that Alexander I. included among the principles of the alliance that "the territorial arrangements concluded at Vienna were to be guaranteed." Again, he states that when Canning took office in 1822 the Greek insurrection was already regarded in England as a problem of first-rate importance. Yet it is impossible to find either in the newspaper press, the ordinary memoirs of the period, or, particularly, in Hansard anything more than a curious and remote interest in the affairs of Greece before 1826. To assert the contrary is to mistake historical for contemporary emphasis. But in general Mr. Marriott's "appreciation" of Canning, for such the book professedly is, rather than a careful study, is decidedly interesting and suggestive.

E. D. ADAMS.

The India of the Queen, and other Essays by the late Sir William Wilson Hunter, edited by Lady Hunter with an introduction by Francis Henry Skrine. (London, New York, and Bombay, Longmans, Green, and Co., 1903, pp. xviii, 277.) This volume, containing as it does a series of brilliant essays, with one exception already published in various

newspapers and magazines, presents in popular form the conclusions to which the author came regarding the real meaning of the British empire in India. In addition several topics of less general interest — missionaries, oriental scholarship, Aurangzeb, geography, and politics — are treated. The essay which gives the volume its title is a reprint of a series of articles which appeared in the *Times* in 1887. Here are described the extension of British rule in India, the consolidation of administration, the conciliation of native princes and peoples, and the education of natives. India of the Queen is the “beginnings of a nation,” and British policy has tended to the creation of a united, educated India. Interesting as is this essay, that on “England’s Work in India,” being lectures delivered at the Philosophical Institution in Edinburgh, is more valuable. Here is to be found within a hundred pages one of the best statements in English of the conditions of British rule in India. The “work done” is declared to be protection of person and property, and development of the country and its people; the “work to be done” is defined as the adjustment of the food supply to the growing population, and the maintenance of a government on European standards of efficiency from an Asiatic scale of revenue. These essays were well worth reprinting.

A. L. P. D.

COMMUNICATION

THE EARLY NORMAN JURY

I have read with very great surprise, in Mr. Haskins's valuable article on "The Early Norman Jury" (*AM. HIST. REV.*, VIII, 613 ff.), his comments on my *Calendar of Documents Preserved in France*. Mr. Haskins asserts that "one's faith in the thoroughness of the editor's researches is sadly shaken by the discovery that in spite of the obviously close connection of the diocese of Bayeux with English history, Mr. Round did not examine any of the cartularies of Bayeux cathedral, the monastic cartularies of the diocese preserved in the cathedral library, or the cartulary of the hospital of Bayeux." He is good enough to add that "Very likely the example may not be typical," but he must be well aware that it is precisely the reverse. For the Bayeux documents are relegated to an appendix at the end of my volume, on the express ground (as explained in a note) that I was unable to visit Bayeux for their collation. The reader, therefore, is duly warned that this section of my work stands on a different footing.

The case of the Bayeux documents is peculiar, for such documents are usually found in the Archives Départementales, all of which I visited. Mr. Haskins justly says that I "labored under the disadvantage" of having to base my work "upon a collection of old transcripts," and as a matter of fact, the Government only sanctioned the publication on the ground that these transcripts had been acquired at considerable cost by the old Record Commission with the intention of printing them, and that they ought to be made available for use in the form of a calendar. No further research was contemplated, and that which I undertook was voluntary on my part and was intended to increase the collection for the benefit of scholars. It seems, therefore, somewhat ungracious to complain that my additions were not exhaustive, as, except for my offer, there would have been none at all.

J. HORACE ROUND.

NOTES AND NEWS

Mr. W. E. H. Lecky, whose death occurred near the end of October, has been for more than a generation one of the best-known of English men of letters. His *History of the Rise and Influence of the Spirit of Rationalism in Europe*, published in 1865, introduced him immediately to a wide public; and the *History of European Morals*, which came out four years later, but confirmed his position as a writer possessing remarkable constructive power, and with it an attractive style. His genius for selecting and ordering facts appeared at its best in the *History of England in the Eighteenth Century*, which appeared from 1878 to 1890. Considerable portions of this work seem destined to be classic, and students of modern British history can hardly disregard any of it. Latterly Mr. Lecky gave his attention to practical questions and published, chiefly, *Democracy and Liberty* (1896), and *Map of Life* (1899).

The early autumn witnessed the death of Canon Overton, known for his writings in church history and biography. Many readers will recall, among his numerous productions, *The English Church in the Eighteenth Century*, which he did in conjunction with Mr. Abbey; *Life in the English Church, 1660-1714*; and *The Life of John Wesley*, in the series "English Leaders of Religion." His last published work was *The Non-jurors, Their Lives, Principles and Writings*, which will doubtless be standard for a considerable time.

By the death of Theodor Mommsen, which occurred at Berlin on November 1, historical studies have lost the active support of a great scholar, a great organizer and leader of other scholars, and a great writer. Some fifteen years ago he was already author of a thousand pieces, many small but others filling folios, and since then he has been producing almost continuously. The *Corpus Inscriptionum Latinarum*, the *Römisches Staatsrecht*, the *History of Rome*, large as each seems in itself, form but a part of his unparalleled output. At the same time he was constantly inspiring and guiding work by others. While half of the twenty-odd volumes of the *Corpus* are due to himself, for the rest he acted as editor; and in like manner he aided in the preparation of other collections undertaken by various German learned societies, chiefly the Berlin Academy. By such tremendous labor, combined with the most sensitive human sympathies, he made Roman history over. One could wish that all of the *History*, like the volume on the provinces and like the *Staatsrecht*, were the fruit of his later rather than his earlier years; but as it is, it will always command the attention of every serious student of the development of the Roman state. On at least the constitutional side of the subject, Mommsen was able to take good advan-

tage of that preparation of materials on which he spent most of his life; and those who follow him will probably never appreciate in what condition Roman history was when he began upon it.

The death of the historian Onno Klopp occurred recently at Vienna. He will be remembered especially for a fourteen-volume work on the fall of the Stuarts and the succession of the house of Hanover, and more recently for a three-volume work on the Thirty Years' War to the death of Gustavus Adolphus. From Vienna comes news also of the premature death of E. Mühlbacher, professor of the history of the middle ages and of the auxiliary sciences of history, author of many studies in these fields, and director of the *Mittheilungen des Instituts für Österreichische Geschichtsforschung*.

Historical studies in Denmark have lost one of their principal leaders by the death of C. F. Bricka. Besides acting as director-general of the public archives, he wrote extensively, edited documents, managed two reviews, and latterly, with the aid of many collaborators, carried on almost to its conclusion the *Dansk Biografisk Lexikon*.

General Edward McCrady, second vice-president of the American Historical Association, died at Charleston, his native city, on November 2, at the age of seventy-one. His historical work, begun late in life though it was, was completed a year before his death, and his four volumes containing the history of South Carolina under the lords proprietors, under royal government, and in the Revolutionary period have deservedly taken high place among the many colonial and state histories.

General Bradley T. Johnson died at Rock Castle, Goochland County, Va., on October 5, 1903. He served in the Confederate army throughout the war with distinction and at the close took up his residence in Richmond for a few years and then moved to Baltimore, where he gave particular attention to constitutional law. As a writer he gained some note, among his best-known works being *The Confederate History of Maryland* and a *Memoir of General Joseph E. Johnston*. Just before the Spanish War he went to Cuba as a correspondent and wrote a series of interesting articles on the situation there.

Major Charles H. Smith, better known as "Bill Arp," died at Atlanta, Ga., August 25, 1903. Among his writings were *A Side Show of the Southern Side of the War* and *Georgia as a Colony and State, 1733-1893*.

The *University Record* of the University of Chicago for October, 1903, contains an account of the presentation of the portrait of Professor Hermann Eduard von Holst to the university. Notable among the addresses are those by Professor John Franklin Jameson on "Professor von Holst as a Historian" and by Professor James Lawrence Laughlin on the "Life and Character of Professor von Holst."

Professor Kendric Charles Babcock, recently assistant-professor of history in the University of California, was inaugurated as president of the University of Arizona on November 4, 1903.

Professor St. George L. Sioussat has resigned his position in Smith College to accept the professorship of history and economics in the University of the South. He will begin his work at Sewanee in March.

Dr. J. W. Garner has been appointed instructor in history and public law in the University of Pennsylvania.

Dr. G. W. Scott, formerly of the University of Pennsylvania, who as research assistant in the Carnegie Institution of Washington is engaged in making an exhaustive study of the law of claims, has been appointed chief of the Law Division of the Library of Congress, and is about to sail for Europe to look up important works on foreign law for the library. It is his intention to make the Law Division the most complete in the United States, especially on the subject of claims, in which branch it has heretofore been very weak.

Volume II. of the *Annual Report of the American Historical Association for 1902* contains the sixth report of the Historical Manuscripts Commission, accompanied by the diary and correspondence of Salmon P. Chase. The Chase papers are grouped in the following divisions: The diary, from July 21 to October 12, 1862; Selected letters of Chase between 1846 and 1861; Letters from George S. Denison to Chase, 1862-1865; Miscellaneous letters to Chase, 1842-1870. These papers are preceded by a calendar of the letters heretofore printed and a chronological list of the letters in this volume. The editorial work is by the chairman of the commission, Professor E. G. Bourne, with the exception of that upon the Denison correspondence, which is by Professor Moore. The selected letters written by Chase are mainly from his correspondence with Charles Sumner and Edward S. Hamlin. The Manuscripts Commission announces that through the kindness of Mr. Worthington C. Ford it will be able to publish the diplomatic correspondence of the French ministers to the United States—Ternant, Genet, Fauchet, and Adet. The transcripts of this correspondence were made from the originals in the Archives des Affaires Étrangères in Paris for Mr. Ford and his brother, the late Paul Leicester Ford. The papers will be edited by Professor Turner, who states that they throw much light on the struggle for the Mississippi Valley and show clearly the policy of France from 1791 to 1797. It is hoped that this material will be published in the report for 1903.

The North Central History Teachers Association held its fifth annual meeting at Champaign, Ill., April 10, under the auspices of the University of Illinois. Reuben Gold Thwaites spoke on the subject "Historical Societies in Relation to the Teaching of History." He outlined the function of the societies as the collection and preservation of the sources of history, the function of the teacher being to lead the students to make use of the sources. Professor James A. James of Northwestern University made an informal report on "Some Considerations Connected with the French Interpretation of the X. Y. Z. Affair." By quotations from the despatches of Adet, Letombe, and other official representatives of

France in the United States, he showed that these representatives invariably represented the majority of Americans as in sympathy with the French, a fact which goes far to explain the characteristic delays of the French diplomacy of the time. He said that the belief was general among French statesmen that their diplomatic policy had been the most potent cause of the downfall of the Federalist party. Talleyrand's own interpretation of the X. Y. Z. affair was shown to have been generally acceptable to Frenchmen of the time. President Draper spoke on his personal "Recollections of General Grant." Dr. Joseph Warren of the University of Chicago read a paper on "Shays' Rebellion," in which he dealt chiefly with the causes of the insurrection, which were economic rather than political; and with the action of the Congress of the Confederation. The last paper, by Mr. Frank Hamsher, principal of the preparatory department of the University of Illinois, dealt with the report of the Committee of Seven. Mr. Hamsher expressed the opinion that if only two years could be given, in most cases, to the study of history in preparatory schools, the attempt should not be made to take the pupil beyond the fourth century in ancient history. Following him, in discussion, Miss Harriet G. King of the Oak Park, Ill., High School, expressed the opinion that United States history and civics should be taught together throughout the year. At the business meeting the following officers were chosen: President, Charles W. Mann; Vice-President, Phoebe T. Sutliff; Secretary-Treasurer, James W. Fertig.

The second annual meeting of the History Teachers Association of the Middle States and Maryland will be held in Philadelphia, March 11 and 12, 1904. A programme of unusual excellence and interest to teachers of history in both colleges and secondary schools will be presented. Professor C. H. Haskins, of Harvard University, will read a paper on "The History Curriculum in the College." Dr. James Sullivan, of the High School of Commerce, New York City, will read the report of a committee of college and secondary teachers on "Coördination of Work of College and Secondary Schools in History." President Scott, of Rutgers College, will report for a committee of college professors on "What the College Expects of the Secondary School in Entrance Examinations in History." The reports of both committees will be discussed by college and secondary teachers. The address of the session will be delivered by President Finley, of the City College, New York City, on the subject, "A Precursor." The association desires all persons interested in historical study to become members. The fee is one dollar a year. Announcements will be sent to all who send their addresses to the secretary, Professor E. H. Castle, Teachers College, Columbia University, New York City.

Freeman's *Historical Geography of Europe*, which has been out of print for a number of years, has now been issued in a new edition, revised by Professor Bury (Longmans).

The Cambridge University Press has just brought out an important work on the culture of ancient and medieval times: *A History of Classical Scholarship, from the Sixth Century B. C. to the End of the Middle Ages*, by John Edwin Sandys.

The history of political ideas is receiving special attention in these times. Messrs. Longman have published *The Political Theories of the Ancient World*, by W. W. Willoughby; and in London Messrs. Blackwood have begun to publish a *History of Mediæval Political Theory in the West*, by R. W. and A. J. Carlyle. The first volume of this latter work extends from the second to the ninth century.

Charles A. McMurtry's *Special Method in History* (New York, Macmillan, 1903) outlines "a complete course of study in history for the grades below the high school" and attempts to indicate the materials for each year's study, to estimate their value, and to discuss and illustrate the method of handling them. The last chapter contains for each year select lists of books for teachers and pupils.

In the *Revue de Synthèse Historique* for August P. Lacombe continues his discussion of "L'Appropriation Privée du Sol, Essai de Synthèse", and P. Huvelin begins a general review of studies on the history of commerce, treating in this first article "Définition et Évolution Générale."

In *Historic Buildings as Seen and Described by Famous Writers* (New York, Dodd, Mead, and Co., 1903, pp. 340) the editor and translator, Esther Singleton, has brought together the descriptions of some fifty buildings well distributed over Great Britain, Europe, and Asia, and notable in art or history. The writings of such authors as Ruskin, Dickens, Symonds, Gibbon, Edmondo De Amicis, and Freeman have been drawn upon, and the work should be an aid to a realization of the various influences that have affected the development of the races whose monuments are described.

Central Asia and Tibet by Sven Hedin (two vols., London, Hurst and Blackett; New York, Scribners, 1903), would naturally be classified by the librarian in the field of geography or of travel; but so many teachers and students of history are interested in the problems of Asia that reference to these interesting and beautiful volumes is not out of place here. The author left Stockholm for his trip in midsummer, 1899, and returned to Sweden in June, 1902. The work of translation from the Swedish by Mr. J. T. Bealby seems to have been done with unusual success. Certainly the English style is good, fresh and vigorous. The story of the journey will be of great interest to the reader and of immense value to the future historian.

ANCIENT HISTORY.

The Code of Hammurabi, which was found in the winter of 1901-1902 by the French expedition at Susa, and which occupies the position of the oldest body of laws in existence, is the subject of a two-volume

work to be published by the University of Chicago Press: *The Code of Hammurabi, King of Babylonia (about 2250 B. C.)*. The first volume, announced for this January, contains map, text, transliteration, translation, glossary, historical and philological notes, and indexes, by Professor R. F. Harper. The second volume is to be given to "The Hammurabi and the Mosaic Codes, a Study in Babylonian and Old Testament Legal Literature," by President W. R. Harper.

The Macmillan Company has recently published *The Story of Rome as Greeks and Romans Tell it*, by George Willis Botsford and Lillie Shaw Botsford. The book is made up of selections from ancient authors, so arranged as to tell the story continuously. Questions accompanying the selections refer to Dr. Botsford's text-books in ancient history. It is likely to be of use, but the doubter may still wonder whether the average school-boy with the help of these pages will find Roman history more tolerable or more real.

W. Liebenam begins in the November number of the *Revue Historique* a résumé of publications in Germany and Austria from 1896 to 1902, relating to Roman history.

A collection of sources for Roman history in the period from 133 to 70 B. C. has been collected and arranged by A. H. J. Greenidge and A. M. Clay (Oxford University Press).

A life of the emperor Nero, intended for both the general reader and the student, appeared in the early fall: *Life and Principate of the Emperor Nero*, by B. W. Henderson (Philadelphia, Lippincott).

Noteworthy articles in periodicals: E. Meyer, *Kaiser Augustus* (*Historische Zeitschrift*, XCI. 3); V. Ermoni, *Manes et le Manichéisme* (*Revue des Questions Historiques*, October); M. Férotin, *Le Vritable Auteur de la Peregrinatio Silviae: La Vierge Espagnole Etheria* (*Revue des Questions Historiques*, October).

MEDIEVAL HISTORY.

Questions connected with the currencies and wergelds of the Germans are now receiving unusual attention. Recently Mr. Seebohm dealt with such matters in his *Tribal Custom in Anglo-Saxon Law*, and again in an article in the *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte* (1903, Heft 2): "On the Early Currencies of the German Tribes." Quite critical of Seebohm is Benno Hilliger, the second part of whose "Der Schilling der Volksrechte und das Wergeld" appeared in the *Historische Vierteljahrschrift* for October.

M. Ulysse Chevalier lately finished the second part of his monumental *Répertoire des Sources Historiques du Moyen Age*, that denominated *Topo-bibliographie*. At the same time he has undertaken a new edition thoroughly revised and enlarged, of the first part, the *Bio-bibliographie*. No amount of criticism of particular features of this bibliography will destroy its general usefulness (Paris, Picard).

Professor Arthur S. Wilde contributed to the *Revue des Questions Historiques* for October a short article on the palace schools in the time of the Merovingians; in opposition to ground taken by Abbé Vacandard, in the same review for April, 1897, and in his recent life of St. Ouen.

The general index for volumes XLI.-LX. (1880-1899) of the *Bibliothèque de l'École des Chartes*, prepared by A. Dieudonné, was published recently. With it are incorporated summary indexes for volumes I.-LX. (Paris, Picard).

The second volume of the *Histoire de la Charité*, by Léon Lallemand, treats the first nine centuries of the Christian era. The following period, to the sixteenth century, is covered by volume III., which is now in the press (Paris, Picard).

The forerunners of the Reformation in the Romance nations form the subject of a recent volume by G. Bonet-Maury: *Les Précurseurs de la Réforme et de la Liberté de Conscience dans les Pays Latins du XII^e au XV^e Siècle* (Paris, Fischbacher). In the general field of pre-Reformation history, note also the fourteenth and fifteenth volumes of the Historische Bibliothek published by Oldenbourg in Munich: *Studien zur Vorgeschichte der Reformation, aus schlessischen Quellen*, by A. O. Meyer; and *Die "Capita Agendorum"*, a critical study on the history of the reform negotiations at Constance, by K. Kehrmann.

Noteworthy articles in periodicals: G. Bonet-Maury, *Saint Colomban et la Fondation des Monastères Irlandais en Brie au VII^e Siècle* (*Revue Historique*, November); E. Déprez, *La Guerre de Cent Ans à la Mort de Benoît XII. L'Intervention des Cardinaux avant le Conclave et du Pape Clément XI avant son Couronnement* (*Revue Historique*, September).

MODERN HISTORY.

There would seem to be ample room for Mr. J. J. Fahie's new biography of Galileo: *Galileo, His Life and Work* (London, Murray).

It is expected that the *Correspondance Inédite du Duc Victor-François de Broglie avec le Prince Xavier de Saxe, Comte de Lusace*, the first volume of which was published recently, will throw light on the history of the Seven Years' War, particularly the campaigns of 1759-1761. There are to be four volumes in all (Paris, A. Michel).

The sixth part of A. Sorel's *L'Europe et la Révolution Française* appeared in October. It deals with the years 1800-1805: "La Trêve: Lunéville et Amiens" (Paris, Plon-Nourrit).

Volume XXV. of the "Publications of the Navy Records Society" is entitled *Nelson and the Neapolitan Jacobins, Documents Relating to the Suppression of the Jacobin Revolution at Naples, June, 1799* (London, 1903, pp. cxvii, 347, 2 maps, bibliography). The object of the editor, H. C. Gutteridge, as stated in his introduction, is not to continue the controversy over Nelson's conduct, but to bring together and make accessible for English readers the evidence which bears on it and in which,

the editor believes, is to be found the refutation of the charges against Nelson, so widely circulated through Southey's biography.

The *English Historical Review* for October prints a series of twenty letters from Colonel William Napier to Sir John Colburn which give information upon the character of Napier and upon questions concerning his *History of the Peninsular War*; how he was led to undertake it, the sources on which he relied, and his conception of the duties of an historian.

The private journal kept by Gourgaud while he was with Napoleon in exile furnishes an important record of life at St. Helena. It was published in 1898. From its twelve hundred pages, "almost all that Napoleon said to Gourgaud in familiar chats, about his past life, and his speculations as to the future" has been selected and translated into English by Elizabeth Wormley Latimer: *Talks of Napoleon at St. Helena with General Baron Gourgaud*, together with the journal kept by Gourgaud on their journey from Waterloo to St. Helena (Chicago, A. C. McClurg and Co.).

We have received a reprint of the interesting study which Professor G. des Marez contributed to the *Revue de l'Université de Bruxelles* for June-July: "Le Borgendael à Bruxelles dans sa Lutte contre l'Industrie Priviligée."

The latest volume in the "Cambridge Historical Series" deals with the history of Russia in the nineteenth century: *The Expansion of Russia, 1815-1900*, by F. H. Skrine (Cambridge University Press).

The recent troubles of the Turkish empire furnish an appropriately dramatic setting for the publication of *The Life of Midhat Pasha*, which purports to be a record of his services, political reforms, banishment, and judicial murder derived from private documents and reminiscences, by his son Ali Haydar Midhat Bey (London, Murray).

Noteworthy articles in periodicals: G. von Below, *Die Entstehung des modernen Kapitalismus* (Historische Zeitschrift, XCI. 3); W. Friedensburg, *Des italienischen Priesters und Theologen Vincenzo Laurefici Reise durch Deutschland, die Niederlande und England (1613)*. I. (Archiv für Kulturgeschichte, I. 4); George Edmundson, *The Dutch on the Amazon and Negro in the Seventeenth Century*. Part I.: *Dutch Trade on the Amazon* (English Historical Review, October); J. F. Chance, *The Northern Question in 1716* (English Historical Review, October); A. Mansuy, *Le Clergé et le Régime Napoléonien dans le Duché de Varsovie, 1807-1813*. I. (Revue d'Histoire Moderne et Contemporaine, November); H. Hueffer, *La Fin de la République Napolitaine*. I. (Revue Historique, November); F. Rachfahl, *Österreich und Preussen im März 1848* (Historische Vierteljahrschrift, October); *The Pontificate of Leo XIII.* (Edinburgh Review, October).

GREAT BRITAIN.

A Social History of Ancient Ireland, by P. W. Joyce (Two vols., Longmans, 1903), is an attempt to "bring together all that is known"

about "society, in all its phases, as it existed in Ireland" from the beginning of historic times to the Anglo-Norman invasion. The author divides the essay into three parts: I. Government, Military System and Law; II. Religion, Learning, Art; III. Social and Domestic Life. The volumes are copiously illustrated.

The Origin and Growth of the English Colonies and of their System of Government, by Hugh Edward Egerton (The Clarendon Press), is a revision with ample additions of Lucas's *Introduction to a Historical Geography of the British Colonies*. The volume is an excellent concise treatment of the topics suggested by the title. It contains, besides the ordinary narrative treatment of colonial history, the discussion of such subjects as the influence of the mercantile system on colonization and the labor problem in new colonies.

Major M. A. S. Hume has utilized the material which he edited in *The Calendars of Spanish State Papers* by writing a book on *The Love Affairs of Mary, Queen of Scots*. His theme is Mary's attempts to compete with Elizabeth in the employment of matrimonial intrigues to promote her political designs (London, Nash).

A considerable study in the history of the Restoration stands among the recent publications of Mr. Murray, London: *George Villiers, Second Duke of Buckingham, 1627-1688*, by Winifred, Lady Burghclere.

That indefatigable worker, Edward Arber, has issued the first volume of his reprint of the *Term Catalogues*, covering the books registered in London from 1668-1682. The connection between bibliography and writing of history has become so close that this rich store of information, hitherto inaccessible, is to be welcomed. Colonial writings are of frequent occurrence, and the editorial labors make the record even more useful than the original issues of those catalogues. His introduction points out the difficulties encountered in testing the accuracy of the original entries, and is sufficient to measure the debt due to this unselfish and painstaking worker.

The library of the American Philosophical Society possesses a manuscript history by the Earl of Crawford, consisting of four volumes with the titles: "Account of some Campaigns of the British Army from 1689 to 1712, and Journal of a Campaign under Prince Eugene on the Upper Rhine and Miscellaneous Papers," "Journal of a Voyage from the Thames to Russia and of Campaigning with the Russian Army, 1738-9," and "Journal of a Campaign with the Russian Army against Turkey, 1739." How these volumes came to be in this library is unknown.

Two volumes appeared lately which concern the principal events and characters in English history from the close of the eighteenth century to 1838: *The Creevey Papers*, being a selection from the diaries and correspondence of Thomas Creevey (1768-1838). The editorial work is by Sir Herbert Maxwell (London, Murray).

The nineteenth volume of the Columbia University *Studies in History, Economics and Public Law* opens with a number on "Josiah

Tucker, *Economist, a Study in the History of Economics*," by Walter Ernest Clark. Professor Seligman, in an introductory note, expresses the hope that it may prove the first of a series of such studies to be issued under the auspices of Columbia, the aim of which will be to lay the foundations for a history of English economic thought.

The Scottish Historical Review, whose first number bears the date of October, 1903, opens with an article in the field of literary history: "The Lives of Authors," in which Professor Walter Raleigh gives an account of the earlier collections of printed biographies relating to English poets. Among other articles in this number are: "Lislebourg and Petit Leith," by T. G. Law; "Scotland Described for Queen Magdalene: a Curious Volume," by A. H. Millar; Letter from William Stewart to Ye Regent, 5 August 1569", by Andrew Lang; and "An English Letter of Gospatric", throwing new light on the history of Cumberland, by James Wilson. There are also interesting "Reviews of Books," "Queries," and "Notes and Comment." Besides, these contents are all presented in an attractive dress, including several excellent illustrations. In both matter and form this new periodical holds from the first an enviable place.

The history of the Scot abroad has received another contribution from Th. A. Fischer: *The Scots in Eastern and Western Prussia*, a supplement to his *The Scots in Germany* (Edinburgh, O. Schulze).

Among the notable recent books relating to modern British history are: a new history of the East India Company, *Ledger and Sword; or the Honourable Company of Merchants of England Trading to the East Indies (1599-1874)*, by Beckles Willson (Longmans); *A History of the Commercial Relations between England and Ireland from the Period of the Restoration*, by Alice E. Murray (London, King); *The Life of Lord Colborne, Field Marshal Lord Seaton*, compiled from his letters, recorded conversations, and other sources, by G. C. Moore Smith (London, Murray); and Lord Wolseley's *Story of a Soldier's Life*, 2 vols. (Scribner).

M. Charles Bémont begins in the *Revue Historique* for November a general review of recent publications relating to English history.

Noteworthy articles in periodicals: H. W. C. Davis, *The Anarchy of Stephen's Reign* (English Historical Review, October); J. H. Ramsay, *Chroniclers' Estimates of Numbers and Official Records* (English Historical Review, October); R. G. Usher, *James I. and Sir Edward Coke* (English Historical Review, October).

FRANCE.

We have received a reprint of an article on "La Royauté et l'Église en France, du IX^e au XI^e Siècle," by Jules Flach, which appeared in the *Revue d'Histoire Ecclésiastique* (IV. 3) of Louvain. The same matter will be found in the third volume of the *Origines de l'Ancienne France*, which is to be published soon.

The fourth year of the *Répertoire Méthodique de l'Histoire Moderne et Contemporaine de la France*, which is now issued under the auspices of the Société d'Histoire Moderne, gives a systematic list of books and articles on the history of France since 1500 which were published in the year 1901. The usefulness of this annual bibliography extends with each issue. The current number, which has near 400 pages and 5,278 entries, is a fourth larger than its predecessor; and the subjects covered include this time the sciences and literary history. Besides, the classification has been decidedly improved here and there; notably, under interior political history, in the division between publications bearing on the "history of facts" and those relating to institutions (Paris, Société Nouvelle de Librairie et d'Édition). Students of American history will be fortunate when they have an aid like this at their disposal, and it is to be regretted too that there is no such annual list relating to English history.

M. Gabriel Hanotaux pursues his monumental work on Richelieu: *Histoire du Cardinal de Richelieu*. The second part of volume II. covers seven years of the history of Richelieu and of France, 1617-1624. The general subjects about which the narrative gathers are Richelieu as rebel, the European crisis of 1621, and Richelieu as cardinal and as prime minister (Paris, Firmin-Didot). It may be noted in this connection that the Société de l'Histoire de France, with the aid of the Institute, has undertaken a new edition of the *Mémoires du Cardinal Richelieu*.

The provincial intendants in the last years (1774-1789) of the ancient régime are the subject of a volume in Russian by Professor Paul Ardascheff, of the University of Odessa (St. Petersburg, 1900), accessible, at least in substance, to students outside of Russia. The *Revue d'Histoire Moderne et Contemporaine* in its September number publishes a résumé of the work prepared by the author himself: "Les Intendants de Province à la Fin de l'Ancien Régime."

As a sort of supplement to the *État Général par Fonds des Archives Départementales*, published in a new edition the past summer, the authorities in charge of the archives in France have undertaken the preparation of a rather detailed description of Revolutionary documents in the Departmental archives—a satisfactory description not being possible in the general publication. At least the series L (Administration de 1789 à l'an VIII) will be thus dealt with.

Messrs. Appleton announce that they will publish as a separate volume those parts of Lecky's *England in the Eighteenth Century* that relate to the history of the French Revolution.

In the *Revue Historique* for September and November M. P. Bliard studies at some length the acts of one of the persons employed by the Convention in suppressing the so-called federalist movement of the Departments against Paris: "Le Conventionnel Prieur de la Marne en Mission. Destitution des Autorités Constituées."

Among the recent books of interest to the student of modern French history are: *Le Président Hénault*, magistrate and man of letters of the

eighteenth century, by Henri Lion (Paris, Plon-Nourrit); and *Jules Ferry, 1832-1893*, by A. Rambaud (Plon-Nourrit).

After years of labor upon long or special works on the history of French law and institutions, M. E. Glasson now writes a student's manual in the same field: *Précis Élémentaire de l'Histoire du Droit Français* (Paris, Pichon). It must needs be exceptionally good to compete with the well-known manual by Esmein.

Noteworthy articles in periodicals: L. Mirot, *Les États Généraux et Provinciaux et l'Abolition des Aides au Début du Règne de Charles VI (1380-1381)* (Revue des Questions Historiques, October); G. Saint-Yves and J. Chavanon, *Documents Inédits sur l'Administration de la Compagnie Française des Indes Orientales, ses Assemblées Générales de 1665 à 1684* (Revue des Questions Historiques, October); A. de Boislisle, *Le Grand Hiver et la Disette de 1709* (Revue des Questions Historiques, October, continued from the April number); H. Carré, *La Révision du Procès Lally, 1778-1786* (Revue Historique, September).

GERMANY, SWITZERLAND.

The first section of the second part of Mr. Robert Proctor's *Early Printed Books in the British Museum* was recently issued by Kegan Paul and Co., London. It deals with German books, of date between 1501 and 1520, and like the first part, on the incunabula in the museum, is less a list than an account of the printers of the time,—in what towns they were, their number and relations with each other, and what they did.

Accessible material relating to the history of the Hanseatic League is increasing rapidly. Volume IX. (edited by W. Stein) of the *Hansisches Urkundenbuch* contains charters for the years 1463-1470; about half the space is taken for 1468-1469. In addition to this collection, the Society for Hanseatic History has begun a series of inventories of pieces kept in the archives of towns that belonged to the League, and the second volume relating to Cologne was lately published, coming down to 1591: *Kölner Inventar*, edited by W. Eberhard (Leipzig, Duncker and Humblot). Many acts are published in full, in an appendix.

A large amount of work stands to the credit of the Historical Commission of Bavaria for the year preceding its twenty-fourth general session held in June last. Its publications include: of the *Jahrbücher des deutschen Reiches*, vol. I. of the series for Otto II. and Otto III., and vol. IV. of the series for Henry IV.; of the *Chroniken der deutschen Städte*, the third volume of the chronicles for Lübeck; of *Quellen und Erörterungen zur bayerischen und deutschen Geschichte*, the first volume, containing the complete works of Andreas of Regensburg, which are of special interest for the Council of Constance and the Hussite wars; and of the *Allgemeine deutsche Biographie*, vols. XLVII. and XLVIII. Work in preparation includes an edition of the letters of humanists of south Germany.

The work of Reinhold Koser on Frederick the Great, *König Friedrich der Grosse*, has been concluded in a second volume (Berlin, Cotta).

Concerning Frederick note also an article in the *Archiv für Kulturgeschichte* (I. 4): "Aus dem Kabinette Friedrichs des Grossen. Streiflichter auf Personen und Zustände," by J. von Pflugk-Harttung.

The work of J. G. Mayer on *Das Konzil von Trient und die Gegenreformation in der Schweiz* was recently completed by the publication of the second volume (Stans, von Matt).

AMERICA.

The first volume of an *American Bibliography*, by Charles Evans (Chicago, 1903), has just been published. It purports to give, in chronological order, "all books, pamphlets and periodical publications printed in the United States of America . . . with bibliographical and biographical notes" from 1639 to 1740. The second and last volume will end with 1820.

Who Begot Thee? is the title of some genealogical and historical notes made by Gilbert O. Bent in an effort to trace his American progenitors. The collateral lines of Brown, Rice, Felch, Longley, and Bath are also indicated. (Boston, printed for private distribution, 1903.)

The Burrows Brothers Company announces the following reprints of Americana: John Eliot's *Logic Primer*, 1672, edited by Wilberforce Eames of the Lenox Library; *A Topographical Description of Virginia, Pennsylvania, Maryland and North Carolina*, by Thomas Hutchins, 1778, edited by Frederick C. Hicks of the Library of Congress; *Narrative of the Adventures of Zenas Leonard*, 1839, edited by Dr. W. F. Wagner; and *Narratives of Indian Captivities*, in a series of about ten volumes.

McClurg and Company have published in two attractive volumes Hennepin's *A New Discovery of a Vast Country in America*, a reprint from the second London issue of 1698. Facsimiles of original title-pages, maps, and illustrations are given. An introduction and careful critical notes have been prepared by Mr. R. G. Thwaites, while Mr. Victor H. Paltsits, of the Lenox Library, has made an elaborate and scholarly bibliography. Probably no narrative of early American discovery needed competent editing and annotation more than this tale by the boastful Recollect of his experiences in the New World. The notes prepared by Mr. Thwaites are numerous and helpful, and we may fully expect that this edition will for all practical purposes become the standard one.

A recent reprint of Americana is *A New Voyage and Description of the Isthmus of America*, by Lionel Wafer, edited with introduction and notes by George Parker Winship, and reprinted from the original London edition of 1699 by the Burrows Brothers, of Cleveland. As an example of the bookmaker's art, this reprint is almost ideal and the editorial work fully bears out Mr. Winship's reputation for careful scholarship.

Of interest to students of church history in America are *The Methodists*, by J. Alfred Faulkner, and *The Congregationalists*, by Leonard W. Bacon, both in the "Story of the Churches" series. "A Nest of Lib-

erty," by Thomas Van Ness, in the *Outlook* for November 7, 1903, is an historical sketch of the Second Church in Boston, formerly known as the Old North Meeting House.

The first number to appear in the new series, "The History of American Art" (Macmillan), is *The History of American Sculpture*, by Lorado Taft, a sumptuous volume of over 500 pages, handsomely illustrated. About half the space is given to a consideration of the work of contemporary artists; the first part, 100 pages, in which the student of American *Kulturgeschichte* may be interested, covers the period from 1750 to 1850, ending with an account of the production of the Mill's statue of Jackson in Washington, which depicts the general seated on a rearing charger and calmly lifting his hat with the fastidious ease of Beau Brummel. The book is written in entertaining style and seems to the layman to have been done with judgment and knowledge. Succeeding volumes in the same series will be *The History of American Music*, by Louis C. Elson, *The History of American Painting*, by Samuel Isham, and *The History of American Etching, Engraving, and Illustration*, by Joseph Pennell.

John Dickenson's *Letters from a Farmer in Pennsylvania* have been reprinted by the Outlook Company, with an historical introduction by R. T. H. Halsey. As a specimen of book-making it is deserving high praise, involving, as it does, a reprint from type of the contemporary Boston edition line by line and page by page. Mr. Halsey contributes not only a balanced introduction, but the portrait of Dickenson and the porcelain statuette of Catherine Macaulay which serve as illustrations. The latter suggests a field of investigation as yet little known.

The *Biographical Congressional Directory, 1774-1903* (57th Cong. 2nd Sess. Ho. Doc. 458, pp. 900), should prove of great value for purposes of ready reference. It contains biographical notices of all members of the Continental and United States Congresses, and of the executive officers since 1789.

The War Department has published an *Historical Register and Dictionary of the Army, September 29, 1789-March 2, 1903* (two vols.), prepared by Francis B. Heitman. It is also published as Ho. Doc. 446, 57th Congress, 2nd Session.

In the *German-American Annals* (continuing the *Americana Germanica*) for November, 1903, "Waldeck's Diary of the Revolution" is continued and "Three Swabian Journalists and the American Revolution" is concluded.

The long-awaited Part II. of George Otto Trevelyan's *American Revolution* (Longmans, 1903) has at last appeared. In two volumes the author has continued the story of the struggle from the evacuation of Boston to the reorganization of the American army at Morristown.

The *Bulletin of the Bureau of Rolls and Library No. 10* (June, 1903, pp. 270), contains the third and supplementary part of the *Calendar of the Correspondence of Thomas Jefferson*.

With the appearance of volume VII. of *The Writings of James Monroe* (Putnams), edited by S. M. Hamilton, that important set is completed. Volume IV. of Hunt's *Writings of James Madison*, which completes the "Journal of the Constitutional Convention," has just been published.

The *Private Journal of Aaron Burr, 1808-1812* (two vols., Rochester, 1903), edited, with introduction, notes, and glossary, by William H. Samson, is reprinted verbatim and in full from the original manuscript in the library of William K. Bixby of St. Louis. The only previous edition, edited by Matthew L. Davis, 1839, contained many omissions and changes from the original. The present edition is not for sale.

The Walker, Evans, and Cogswell Co., of Charleston, have published a life of John C. Calhoun (1903, pp. 251), by Gustavus M. Pinckney, of the Charleston Bar. It purports to be a view of the principal events of Calhoun's career and an account of his contributions to economic and political science. Long extracts from Calhoun's writings constitute the larger portion of the volume.

The *Journal of the Military Service Institution of the United States* for November-December, contains Part I. of a narrative by James Reilly, late ordnance-sergeant, U. S. A., of his service in the Mexican War and in Florida during the years 1847-1857.

Another source-book, on a new principle, is *Great American Legislators*, by Howard W. Caldwell, of the University of Nebraska (Chicago, J. H. Miller, 1903). In this book the lives and deeds of Gallatin, J. Q. Adams, Clay, Webster, Calhoun, Sumner, Douglas, Seward, Chase, and Blaine are illustrated by a series of short selections, mostly from the writings of these men, connected by sufficient text to show the import of each selection. The book is intended for use in secondary schools.

The Library of Congress has published *A List of Lincolniana in the Library of Congress*, prepared by George Thomas Ritchie. It includes Lincoln's own writings as well as books and other writings relating to him, exclusive of periodical articles as such, and fills 75 large octavo pages. It is intended to serve rather as a check-list than as a bibliography.

"American Crisis Biographies" is the title of a series of lives of men who were prominent in Civil War times, which is projected by George W. Jacobs and Co., of Philadelphia. It is to be edited by Ellis P. Oberholtzer.

Volume 16 of Series I. of the *Official Records of the Union and Confederate Navies in the War of the Rebellion* (57th Cong. 2nd Sess. Ho. Doc. 477) is edited by Charles W. Stewart and contains the operations of the Gulf Blockading Squadron, June 7-December 15, 1861, and of the South Atlantic Blockading Squadron, October 1, 1864-August 8, 1865.

"Some Civil War Documents, 1862-1864," in the *Records of the American Catholic Historical Society of Philadelphia* for September, 1903, are printed from the manuscripts in the Library of Congress and

consist of letters of Pius IX., Jefferson Davis, Judah P. Benjamin, and A. Dudley Mann relating to the papal efforts to secure peace in North America.

The third volume of papers read before the Massachusetts Military Historical Society (Boston, 1903) is devoted to discussions of the operations of the Army of the Potomac and of the Confederate Army of Northern Virginia from the autumn of 1862 to the winter of 1863. Antietam, Fredericksburg, Chancellorsville, and Gettysburg are discussed from both Union and Confederate points of view in some twenty papers by active participants in these campaigns.

A military autobiography notable for its style as well as its subject-matter is *The Story of a Soldier's Life*, by Field-Marshal Viscount Wolseley (two vols., Scribners, 1903), which will be reviewed in a subsequent issue. Of especial interest to American students are the chapters which relate the author's service in Canada between 1861 and 1870 and his visit to the Confederate headquarters in 1862. His descriptions of Lee and Jackson and his comments on the Confederate situation are noteworthy.

The third volume of Professor MacDonald's useful collection of documents covers the period from the outbreak of the Civil War to the beginning of the war with Spain. It bears the title, *Select Statutes and other Documents Illustrative of the History of the United States, 1861-1898* (Macmillan).

The First of the Hoosiers (Philadelphia, Biddle, 1903) is a series of reminiscences of Edward Eggleston by his brother George Cary Eggleston. It is not intended to be a formal biography but deals with different phases of his life and work.

Houghton, Mifflin, and Co. announce two important biographies: the *Life of Parkman* in the "American Men of Letters" series, by Henry D. Sedgwick, Jr., and a *Life of Governor Andrew of Massachusetts*, by Henry G. Pierson.

As might be inferred from its title, *The Thirty Years' War on Silver*, by A. L. Fitzgerald of the Supreme Court of Nevada (Chicago, Ainsworth and Co., 1903, pp. 364), is a belligerent book. After dealing with the various conceptions of money, the author discusses at some length the nature of money in the United States, giving particular attention to the constitutional provisions regarding it and contending that the clause making nothing but gold and silver legal-tender renders any demonetization of silver unconstitutional. He then carries the subject into the realm of ethics and patriotism, and in prose and verse points out the moral wrong done when a state changes its money and the manner in which such a wrong should be remedied.

Mr. Walter C. Ham, now United States consul at Hull, has presented to the library of Brown University a collection of about 200,000 newspaper clippings which he collected when on the editorial staff of the

Philadelphia Press. The clippings cover a period of twenty years and relate to nearly all subjects of public discussion. Of especial note are the clippings relating to strikes and the Spanish War.

We have received *The Ship of State, by Those at the Helm* in "The Youth's Companion Series" (Ginn and Co., 1903). It contains some dozen sketches of the various phases of public service and governmental activity by such men as President Roosevelt, Senator Lodge, Justice Brewer, John D. Long, and others, written in an entertaining way well calculated to interest as well as instruct the average youth.

One of the most interesting books of the year bearing on American political history is Senator Hoar's *Autobiography of Seventy Years*, which will be reviewed in a future number. It is published by Charles Scribner's Sons in two large, handsome volumes.

At the request of Mr. Fiske's family, William Roscoe Thayer is engaged in preparing for publication the letters, journals, and memorials of the late John Fiske. With the correspondence will also be published a memoir of the historian. Mr. Thayer announces that the correspondence, so far as he has examined it, especially that with Darwin, Spencer, Huxley, and other British men of science, covers a very wide range of subjects and is possessed of great interest. Mr. Thayer will be under obligations to any one possessing letters or other papers written by John Fiske, who will lend him the originals or send copies to him at 8 Berkeley Street, Cambridge, Mass.

The Bureau of Statistics of the Department of Commerce and Labor has published a review of immigration into the United States, 1820-1903, showing numbers, nationality, sex, age, occupation, destination, etc., of the immigrants. This review is also to be found in the *Summary of Commerce and Finance* for June, 1903.

The following magazine announcements for 1904 are of interest: *Atlantic*: "Private Journal of Ralph Waldo Emerson," edited by his son; "The Diplomatic Intrigue for the Mississippi Valley," by Frederick J. Turner; "Prescott the Man," by Rollo Ogden; *Harper's*: papers on American diplomatic history by John Bassett Moore; *Scribner's*: "War of 1812," by Captain Mahan; four articles on European political problems of interest to America, by Frank A. Vanderlip; letters written from England during George Bancroft's ministry of 1846-1850 by Mrs. Bancroft; Jefferson's family letters; *Century*; "The Youth of Washington," an attempt by S. Weir Mitchell to write Washington's autobiography,

Bulletin 80 of the New York State Library, May, 1903, is the *Review of Legislation for 1902*. Noteworthy reviews are those by C. E. Merriam on "State Government," by Robert H. Whitten on "Law-making and Elections," by Delos F. Wilcox on "Local Government," and by John A. Fairlie on "Municipal Functions." *Bulletin 79* contains the *Comparative Summary and Index of Legislation* for the same year.

If a reprint of Morton's *New England's Memorial* in facsimile was needed, the issue by the Club of Odd Volumes (Boston) should fill the want. Unfortunately the opportunity to make an index was passed, and the introduction by Arthur Lord rather confuses than enlightens. Ignorance of bibliographical authorities is hardly excusable in these days, and he has omitted to avail himself of some rich material to be found in Boston.

The proclamation of the Parliament of King Charles I., of 1643, which recites the difficulties of the "Pilgrims" both in England and in their settlement in Plymouth, has been reproduced in facsimile by the owner of the original document, Mr. Thomas Hart, Almay, 21 Stavor-dale Road, Highbury, London, N., from whom copies may be obtained.

A book that will be of special value to the teacher of American history and literature in the schools is Katharine M. Abbott's *Old Paths and Legends of New England* (Putnams, 1903). The volume is beautifully illustrated, is attractively written, contains a good map, and will be of considerable assistance in adding vitality to average text-book work. It will not be without its charm for the general reader.

We have received an address delivered before the New Hampshire Society of the Sons of the American Revolution, by Albert Stillman Batchellor, on "The Ranger Service in the Upper Valley of the Connecticut and the Most Northerly Regiment of the New Hampshire Militia in the Period of the Revolution," which contains much useful information about the service and personnel of the New Hampshire forces.

The *New Hampshire Historical Society Proceedings* (Vol. IV., Pt. 1, June, 1899-June, 1902), contains an account of the capture of Fort William and Mary, December, 1774, by Charles L. Parsons, and "The Scotch-Irish and Irish Presbyterian Settlers of New Hampshire," by Gordon Woodbury.

An encouraging phase of municipal activity from which, however, certain discouraging features are not absent, is manifested in the large two-volume *History of Concord, New Hampshire*, edited by J. O. Lyford, which was authorized by the city government and has just been published under the supervision of the City History Commission. It deals with every conceivable phase of Concord history, including the weather.

A History of Vermont, by Edward Day Collins (Ginn and Co., 1903), is a well-written text-book. It gives especial attention to social and industrial evolution without neglecting political development, is judiciously illustrated, and contains geological, geographical, and statistical notes, maps, a chronology, and a bibliography.

The story of Mary Dyer, the Quaker who was hanged on Boston Common, in 1660, is one of the most tragic incidents in a period of tragedies. Two letters of her husband, William Dyer, to the Massachusetts authorities, pleading in behalf of his wife, have been reproduced by the helio-type process in limited edition. The first letter, dated August 30, 1569,

was found in the Chamberlain collection, Boston Public Library, about a year ago, and gave an entirely new aspect to the alleged wrong-doing of the martyr. A few copies of this reproduction are offered for sale by Dodd, Mead, and Company.

The *Proceedings* of the Massachusetts Historical Society for May and June, 1903, contains about sixty letters of the Rev. Dr. Richard Price, the Rev. Dr. Chauncey, Benjamin Franklin, Thomas Jefferson, Benjamin Rush, and Professor Winthrop, written between the years 1767 and 1790 and hitherto unpublished. Several of them contain detailed accounts of events in Boston and vicinity in 1775-1776. Nine letters from Benjamin Vaughn to the Earl of Shelbourne, written from Paris (October, 1782-January, 1783), are of considerable interest. Instructive comments are made by Professor Channing and Mr. William W. Goodwin as to the exact landing-place of the "Pilgrims."

In addition to the continuations the contributions to the *Historical Collections of the Essex Institute* for October, 1903, are seven letters from Manasseh Cutler to Francis Low, written in 1803-1805, while Dr. Cutler was representing the Essex district in Congress, and the first instalment of "English Notes about Early Settlers in New England," by Lothrop Withington.

The *Year Book of the Holland Society of New York* contains "Some Early Records of the Lutheran Church, New York," being the baptismal register, 1704-1723, and the marriage record, 1704-1772.

Volume IV. of the *Public Papers of George Clinton* covers the years 1780-1781 and contains many letters from General James Clinton, which reveal the discontent and suffering in the American army, and give full details of the fighting on the New York frontier. The papers are edited by the state historian, Hugh Hastings, and appear as an appendix to his third annual report.

In the University of Pennsylvania *Alumni Register* for July, 1903, is a report made by J. G. Rosengarten to the Board of Trustees relative to the collection of over 500 Franklin manuscripts recently added to the library of the University of Pennsylvania. The report shows that the papers cover a wide range of subjects and are in many cases of great interest and value. A long letter from Edmund Burke, of August 15, 1781, and a photographic reproduction of a letter from Robespierre of October 1, 1783, relative to the lightning rod, are printed with the report.

Aside from continuations *The Pennsylvania Magazine of History and Biography* for October contains a list of the generals of the Continental line and the facsimile of a commission, with critical notes by Simon Gratz; "Extracts from the Journal of Rev. James Sproat, Hospital Chaplain of the Middle Department, 1778," by John W. Jordan; a "Biographical Sketch of Luke Wells Brodhead"; excerpts from Mrs. Washington's "Book of Cookery," by Miss J. C. Wylie; and a sketch of the Fellowship Fire Company of Philadelphia, organized in 1738, with extracts from the minute-book, by John W. Jordan; the Journal of

Lieut. Robert Barker of the Second Continental Artillery, 1779, by Thomas R. Bard (to be continued); and a list of Pennsylvania soldiers of the Revolution entitled to depreciation pay (to be continued). Among Notes and Queries is a list of the officers present, killed, or wounded in the Braddock expedition against Fort Duquesne, copied from the original manuscript among the Chew Papers, and including some names not mentioned by Sargent.

A new edition of James McSherry's *History of Maryland, 1634-1848*, has been published by the Baltimore Book Company. The history is edited and continued to the present time by Bartlett B. James.

Volume VI. of the *Records of the Columbia Historical Society* (Washington, 1903) contains four articles of some interest: "The Making of a Plan for Washington City," by Glenn Brown, which traces the sources of L'Enfant's plan; "Washington in Literature," by A. R. Spofford; "The Beginnings of Government in the District," by W. B. Bryan; and a "History of the City Post-Office," by Madison Davis.

The *Publications of the Southern Historical Association* for September, 1903, contains an article on "The Prescript of the Ku Klux Klan," by Walter L. Fleming; "The Expansion of the old Southwest," by S. B. Weeks, and the first part of "A Southern Traveller's Diary in 1840," being William H. Wills's journal of his travels from Tarboro to the south in 1840.

A new edition of Cooke's *Virginia* has been issued by Houghton, Mifflin, and Co. There seem to be no changes in the old text, except that in place of the chapter in the first edition on "Virginia since the War," there now appears a supplementary chapter dealing more fully with the same period, prepared by Mr. William Garrott Brown. This was worth doing and is well done.

The *William and Mary College Quarterly Historical Magazine* for October, 1903, contains the first instalment of a series of extracts from the *Virginia Gazette* of January-June, 1751; and selections from the correspondence of Judge N. B. Tucker with George E. Boswell, Thomas H. Benton, Duff Green, and others, between January, 1833, and September, 1837.

The *Lower Norfolk County Virginia Antiquary*, Volume IV., Part 2, contains a list of the slave-owners in Princess Anne County in 1780, and a summary of the numbers of white persons and of houses in the same county in 1785.

The forthcoming volume of the *Proceedings of the Massachusetts Historical Society* will contain forty-seven letters written by prominent Virginians to Jefferson, Madison, and Washington while the Federal Constitution was pending in Virginia. They were contributed by Worthington C. Ford, and comprise letters from Edward Carrington, Joseph Jones, William Grayson, Rev. James Madison, James McClurg, and John B. Cutting.

Of most importance in *The West Virginia Historical Magazine* for October are an article by W. S. Laidley on "Pioneer Settlements of West Virginia," and a list of tithables in Kanawha County in 1792 together with a list of the names on the land books for 1791.

The South Atlantic Quarterly for October, 1903, contains "North Carolina's Part in the Revolution," by Sallie Joyner Davis, and "The Removal of Legal and Political Disabilities, 1868-1898," by J. G. De R. Hamilton.

The South Carolina Historical and Genealogical Magazine for October, 1903, is composed entirely of continuations with the exception of a genealogical contribution on "The Butlers of South Carolina," by Theodore D. Jervey.

Volume V., Part I. of *Collections of the Georgia Historical Society* contains the "Proceedings of the First Provincial Congress of Georgia, 1775," "Proceedings of the Georgia Council of Safety, 1775 to 1777," and an "Account of the Siege of Savannah, 1779, from a British Source."

The Filson Club has produced as *Publication No. 18* (Louisville, Ky., 1903) Bennett H. Young's *The Battle of the Thames, in which Kentuckians defeated the British, French and Indians, October 5, 1813, with a list of the officers and privates who were the victors.*

The American Historical Magazine and Tennessee Historical Society Quarterly for October, 1903, contains an article by George B. Guild on "Reconstruction Times in Sumner County"; the executive correspondence of James K. Polk, as governor of Tennessee, during February and March, 1840, and the Governor McMinn correspondence of 1815-1817, on the subject of Indian treaties.

Mr. William Beer, Librarian of the Howard Memorial Library of New Orleans, will exhibit at the St. Louis Exposition a collection of about 200 maps showing the development of the geographical knowledge of the northern shore of the Gulf of Mexico. In connection with this exhibit the state of Louisiana will publish as complete a list as possible of all known maps of Louisiana.

The important contributions in *The Gulf States Historical Magazine* for September, 1903, are the "Formation of the Union League in Alabama," by Walter L. Fleming; a brief memoir of Major George Farragut, father of the admiral, by Marshall De Lancey Haywood; "Early Records of Some of the Waltons of Virginia," by Mrs. Wm. C. Stubbs; and a list of the "Tennessee Newspaper Files in the Library of the American Antiquarian Society, Worcester, Mass." Three documents are printed: a letter from Wm. R. King to Jno. W. Womack, Washington, March 10, 1849, deals with the general political situation, while a letter from J. E. Simmons, Sardis, Miss., to Hugh McCulloch, March 31, 1866, deals with Reconstruction in Mississippi.

The library of the late Dr. J. L. M. Curry has been acquired by the Alabama Department of Archives and History, of which Mr. Thomas M.

Owen is director. The library consists of several hundred volumes on American history, biography, genealogy, education, and the negro problem; its principal feature is a unique collection of about 2,500 pamphlets bearing on the history of Alabama and including the very rare journal of the Alabama convention of 1819.

The *National Geographic Magazine* for September, 1903, contains the journal of Ferdnando Del Bosque, Royal Standard-Bearer, in command of the expedition into Texas of April-June, 1675. It is translated by Betty B. Brewster from an unpublished Spanish manuscript.

Professor Theodore C. Smith has written for the new edition of King's *Ohio* a supplementary chapter on the history of that state since the Civil War (Houghton).

The "*Old Northwest*," *Genealogical Quarterly* for October, 1903, is devoted to the history of Worthington, Ohio, which celebrated its centennial last year. An autobiography of James Kilbourne is printed together with much material relating to the various phases of town history.

In *How George Rogers Clark Won the Northwest* (McClurg, 1903), Mr. R. G. Thwaites has gathered a series of papers on Western history hitherto printed either in popular magazines or in the *Wisconsin Historical Collections*. They have been carefully revised. The initial essay giving the title to the volume is probably the most valuable. It is worth while to make thus accessible an unembellished tale of Clark's achievements.

The *Ohio Archaeological and Historical Quarterly* for October, 1903, contains sketches of Thomas Worthington, by Frank Theodore Cole, and of George Groghan, together with some of his correspondence with General W. H. Harrison, by Charles Richard Williams, also an article on "Pontiac's Conspiracy," by E. O. Randall.

Of especial interest to the student of early religious activity in the west is *The Life of Philander Chase* (New York, E. P. Dutton and Co., 1903, pp. xx, 341), by his granddaughter, Laura Chase Smith. This biography, while giving in briefer form the facts about the Bishop's life already made known in his *Reminiscences*, adds many new details. The story of his work as Bishop of Ohio from 1818 to 1831, and as Bishop of Illinois from 1835 until his death in 1852, and the account of his founding Kenyon and Jubilee Colleges are well told.

Ripley Hitchcock's *Building of the West* (Ginn and Co.) is in four parts: the first part relates the history of the Louisiana Purchase and the Spanish and French explorations, the second narrates the story of the Lewis and Clark expeditions, the third tells of the explorations of the west, while the fourth deals with the material development.

Volume II., Number 2, of the *Missouri Historical Society Collections*, contains a letter from Governor Claiborne F. Jackson to J. W. Tucker, of April 28, 1861, relating to Missouri's attitude towards secession, and "Early Recollections of Missouri," by Hon. Thomas Shackelford.

The legislature of Wisconsin has made provision for the reprinting of the first ten volumes of *Wisconsin Historical Collections*, and Volumes I. and II. are already in press. Volume XVII., which completes the treatment of the French régime, has been delayed on account of the autumnal closing of the French archives in Paris, but will be issued shortly. In connection with the report of the fifty-first annual meeting of the State Historical Society an analytical index to the *Proceedings* from 1886 to 1900 will be published.

In June the University of Wisconsin will celebrate the fiftieth anniversary of its first commencement. The celebration will last for five days, and a feature of general interest, as planned, will be a series of addresses by distinguished European scholars representing various departments of university work.

The *Iowa Journal of History and Politics* for October, 1903, contains a long article on "Chief Justice Marshall as a Constructive Statesman," by Justice Emlin McClain, of the Supreme Court of Iowa, in which the author discusses the various constitutional principles established by Marshall's decisions. An interesting article by Harold M. Bowman on "Problems in the Administration of Iowa," is a summary of his monograph in the *Columbia Studies*; John W. Gannaway gives an account of the beginnings of political parties in Iowa during the years 1836-1856, in "The Development of Party Organization in Iowa."

The principal article in the *Annals of Iowa* for October, 1903, is by William Salter on "Iowa in Unorganized Territory of the United States, August 10, 1821-June 28, 1834," which devotes especial attention to the relations with the Indians.

The fourth volume of *The Messages and Proclamations of the Governors of Iowa* contains the messages and proclamations of Cyrus Clay Carpenter (1872-1876), Samuel Jordan Kirkwood (third term, 1876-1877), and Joshua Giddings Newbold (1877-1878). The fifth volume, which was published in December, covers the administrations of John Henry Gear and Buren R. Sherman.

The Abigail Adams Chapter (Iowa) of the Daughters of the American Revolution has decided to devote the year to marking the site of Fort Des Moines.

The Minnesota Historical Society will publish the diaries of Alexander Ramsey, who was territorial governor of Minnesota, state governor during the Civil War, and U. S. Senator. The diaries cover a period of sixty years and are said to be rich in historical material. Mrs. Furness, the daughter of Governor Ramsey, will prepare them for publication.

"Oregon and Its Share in the Civil War," by Robert Treat Platt, and "The Social and Economic History of Astoria," by Alfred A. Cleveland, are the noteworthy articles in *The Quarterly of the Oregon Historical Society* for June, 1903.

The *Summary of Commerce and Finance* for July, 1903, contains an article on "Commercial Alaska, 1867-1903," which treats of its area, population, productions, railways, telegraphs, transportation routes, and its commerce with the United States and foreign countries.

Senate Document 74, 57th Congress, 2d Session, contains a bibliography of the Philippines, which is one of the most important and valuable bibliographical works of recent years.

Of considerable importance for Canadian history are J. S. Willison's *Sir Wilfred Laurier and the Liberal Party* (two vols., London, John Murray, 1903), and *Old Quebec — the Fortress of New France*, by Gilbert Parker and Claude G. Bryan (Macmillan, 1903). *Longman's Magazine* for November, 1903, contains the third part of Paul Fountain's "Canada in the Sixties."

The Bureau of the American Republics has printed a list of books, magazines, articles, and maps relating to Chile, prepared by P. Lee Phillips of the Library of Congress (Govt. Print. Off., 1903, pp. 110).

Among recent publications are to be noted *History of Louisiana*, by Charles Gayarré (fourth edition, with bibliography, by William Beer. Four vols., New Orleans, Hansell and Bros., 1903); *Pioneer Spaniards in North America*, by W. H. Johnson (Boston, Little, Brown, and Co., 1903); *A Critical Study of the Dates of the Birth of Columbus*, by Henry Vignaud (London, Henry Stevens, 1903).

Noteworthy articles in magazines: John D. Baitz, *The Battle of Ball's Bluff*; Gen. W. Bishop, *Van Derveer's Brigade at Chickamauga*; and *Personal Narrative of an Officer in the Revolutionary War* (The United Service, July, September, October, and November, 1903); Henry Loomis Nelson, *Early American Pioneers, I., Champlain*; John R. Spears, *Beginnings of the American Navy* (Harper's, November, and December); Charles W. Harvey, *Some Second Term Precedents* (Atlantic, December); Wayne MacVeagh, *The Venezuelan Arbitration and the Hague Tribunal* (North American Review, December); A. B. Hulbert, *Richard Henderson, the Founder of Transylvania* (Chautauquan, December); Arthur D. Cromwell, *The Source of Scientific Method in History* (School Review, October); Mrs. John Quincy Adams's *Narrative of a Journey from St. Petersburg to Paris in February, 1815*, introduction by Brooks Adams; H. C. Lodge, *The Senate*, an historical sketch (Scribner's, November); H. E. Belin, *The Civil War as seen Through Southern Glasses* (American Journal of Sociology, September); W. W. H. Davis, *Negro Suffrage in Pennsylvania in 1837* (Era Magazine, October); Barral Montferrat, *La Doctrine de Monroe et les Evolutions Successives de la Politique Étrangère des États-Unis* (Revue d'Histoire Diplomatique, October); Colonel Leblond, *Les États-Unis d'Amérique* (Revue de Géographie, November); Jeronimo Becker, *El Centenario de la Luisiana* (La España Moderna, May); Luigi Luzzatti, *Le Relazioni Economiche degli Stati Uniti con l'Italia* (L'Italia Coloniale).

The
American Historical Review

THE MEETING OF THE AMERICAN HISTORICAL
ASSOCIATION AT NEW ORLEANS

FOR some time it has seemed desirable to hold a meeting of the American Historical Association in the far south. The meetings that are held periodically at Washington are not inconvenient for the members living in the southeastern states, but from the beginning until 1903 no meeting was held in the southern part of the Mississippi Valley within easy reach of members from the south and southwest. The members in this region, it is true, are not many, but nevertheless a meeting that all could attend without trouble would, it was thought, bring together an unusual number and prove helpful to the scholars that are striving to arouse the Southern people to greater interest in history and to a greater appreciation of historical material and historical opportunity. The year 1903 seemed the appropriate time; a meeting at New Orleans would be a suitable recognition of the centennial anniversary of the acquisition of Louisiana. With these various considerations in mind, the Association determined to hold its nineteenth annual meeting at New Orleans. The sessions were held December 29, 30, and 31.

Although there were not in attendance so many Southern members as the most enthusiastic desired to see, there were enough to show the growing interest in historical work; and, while the value of the meeting cannot yet be weighed or measured, there is reason to believe that it gave new courage and zeal to historians and to historical students of the south—not only to teachers and students of history, but also to those who are engaged in gathering historical material and in preserving the manuscript records of the southern states. The number of members from other sections of the Union was not quite so large as at some of the recent meetings, but on

the other hand the attendance was very widely representative of all sections and states. Members were present from California and Arizona beyond the mountains, from Massachusetts and Connecticut in the northeast, from most of the other states of the Atlantic coast, and in unusual numbers from all parts of the Mississippi basin. A special train brought most of the members from the northeast. It started from New York and followed the line of the Southern Railway, offering an opportunity to visit Richmond, Atlanta, Mobile, and other places on the southward journey, and Chattanooga on the return trip. A special car, starting at Chicago for the convenience of the Northern members, stopped on the return trip at Vicksburg. In spite of some delays and the discomforts incident to crowded sleepers, these excursions seem to have been very successful and to have given general satisfaction.

The programme was so arranged as to have an occasional character. Two joint sessions were held with the Economic Association; at the first the regular annual addresses of the presidents were given; at the second the relation of sociology to economics and history was the subject of discussion. The papers of one session related chiefly to the Louisiana purchase; at another session the study and teaching of history in the south was discussed; at other sessions several papers were read bearing directly on the history of the south or the southwest. The only possible fault to be found with the programme was that there was too much of it; and this seems an ungrateful comment to pass on a scheme that was evidently the result of much hard work and serious planning by the members of the committee having the subject in charge. So far as the quality of the papers is concerned, the programme was one of the very best in the history of the Association. But the weary member who had traveled mayhap 1,500 or 2,000 miles to attend the meeting, who was desirous of seeing the sights of the old French city, and was even more anxious to exchange experiences with some fellow-worker whom he had not seen since the meeting at Philadelphia, was in a distracted state when confronted by an excellent programme filled with interesting and profitable papers and so arranged as to leave practically no free time outside of the three daily sessions.

In addition to the attractions of the programme must be mentioned the courteous attentions of the friends of the Association in New Orleans. The local committee of arrangements, of which Professor John R. Ficklen, of Tulane University, was chairman, left nothing undone to care for the comfort and pleasure of the guests. On the first day of the meeting, after a series of appro-

priate papers bearing on Louisiana history, the members were given a Creole luncheon by the Louisiana Historical Society. Wednesday noon a luncheon was served in the refectory of Tulane University, in the evening a smoker was given to men at the Round Table Club, and in the same afternoon Mrs. T. G. Richardson gave a reception especially intended for the lady members of the Association. The president and faculty of Tulane University received the members of the Association Thursday evening in the library of the university. On Friday morning the members of the Association were given a steamboat ride on the Mississippi, in the course of which they stopped to see the site of the battle of New Orleans and to visit a sugar plantation. At the point where Jackson beat back the British, short addresses were made by Professor J. B. McMaster and by the president of the Louisiana Historical Society, Professor Alcée Fortier. At the sugar plantation Professor Fortier spoke entertainingly of the beginning of the planting industry in Louisiana, of how sugar-cane gradually supplanted the indigo crop, and of the old plantation life before the war. The pleasure of the week was enhanced by the hospitality of the Round Table Club, the Athletic Club, and the Boston Club, which opened their club-houses to the use of the members of the Association.

A year ago, at the Philadelphia meeting, a number of persons who were members either of the Historical Association or of the Economic Association met and discussed the advisability of forming an association devoted to the study and discussion of topics in political science. It was then decided to take the matter under advisement and to give it serious consideration. A committee, appointed at Philadelphia to investigate the subject and gather opinions, reported at New Orleans in favor of establishing an organization not affiliated formally with either of the older associations. In accordance with that recommendation, a new society called the American Political Science Association was formed. Its purpose is to advance the study of politics, public law, administration, and diplomacy. There was a general feeling among the men who formed this association that their fields of work were so decidedly different from the fields of economics and history that only by the formation of a separate society could their topics receive proper attention and be sufficiently discussed.

The first session of the Historical Association was held under the auspices of the Louisiana Historical Society at the Cabildo, the picturesque and interesting *hôtel de ville* in the center of the old French quarter. The subjects under consideration all bore more or less directly on the Louisiana purchase. The first paper, by Professor

William M. Sloane, of Columbia University, is given in this number of the REVIEW, under the title "World Aspects of the Louisiana Purchase", presenting in a few words and in an interesting manner the epochal character of the movement and the treaty that gave to the United States the western half of the Mississippi basin. Hon. William Wirt Howe, of New Orleans, read a valuable paper on "The Civil and the Common Law in the Louisiana Purchase." When the colony was first settled, the law of France and the Custom of Paris prevailed, but with the Spaniards naturally came the Spanish system. In 1769 a small treatise containing rules of practice, some rules of criminal law, and directions in regard to wills was promulgated by Governor O'Reilly. From that time the laws of Spain really governed Louisiana; but they were in many respects similar in their origin to the laws of France, and the difference was scarcely perceived. After the cession to the United States, the Louisiana purchase was divided, one portion, about the present area of the state of Louisiana, being set off as the Territory of Orleans. Within these limits the old civil law as codified in 1808, largely along the lines of the Code Napoleon, continued to be fundamental, while in the rest of the purchase, which in 1812 became the Territory of Missouri, the common law of England was naturally introduced by immigration, and in 1816 was adopted by territorial statute as the rule of judicial decision. The two legal systems, however, are not now so diverse as formerly; technicalities have been gradually disappearing, and the elementary principles of right and justice are to-day much the same in all parts of the Louisiana purchase.

A paper on "New Orleans and the Aaron Burr Conspiracy" was read by Dr. Walter F. McCaleb. He referred to Burr's plan for revolutionizing the Spanish colonies; he recounted the formation of the "Mexican Association", the object of which was to obtain information regarding the forces and the internal condition of New Spain. The ordinary notion that the Creole resented the acquisition of Louisiana, Mr. McCaleb said, was altogether unfounded. He described how the idea gained currency that the Spaniards by threatening invasion would gain adherents among the people of New Orleans, and how Wilkinson, with characteristic effrontery and knavishness, announced that New Orleans was a hot-bed of sedition and that Burr was plotting to disrupt the Union, and, while so professing, began to make military arrests and to rule the city with arrogance and injustice. Jefferson himself, under the influence of Wilkinson, came to believe that Burr was engaged in

treasonable undertakings, and that in New Orleans was centered his strength.

The paper of Dr. W. R. Shepherd, of Columbia, on "Louisiana in the Spanish Archives", was in a measure a plea for the examination of Spanish archives as sources of American history. Contrary to the commonly received opinions, the archives of Spain, Mr. Shepherd said, are more accessible than those of other European countries. The only requirements for admission are a good knowledge of Spanish and the proof that the investigator is a responsible person. The dispersion of the materials among several centers and an imperfect classification of the documents themselves are serious obstacles in the way of the investigator, and personal research is indispensable in practically all cases. The three great repositories that contain materials of importance for the history of the United States are those at Simancas, Madrid, and Seville. Among the papers at Simancas are many valuable sources for the study of United States history during the period of the Revolution, but many important documents of this time are to be found also in Madrid and Seville. As to the materials concerning Louisiana more specifically, the archives at Simancas and Madrid supplement each other, but the bulk of them is to be found in Madrid. Here also are the state papers properly so called as distinguished from the correspondence of the colonial officials with the Council of the Indies. This correspondence constitutes the wealth of the Archives of the Indies at Seville and hence are of special value for the internal history of Louisiana.

Reuben G. Thwaites, secretary and superintendent of the Wisconsin Historical Society, told the story of Lewis and Clark's journals. It is popularly supposed that the *Travels* edited by Nicholas Biddle and published at Philadelphia in 1814 are substantially the journals of the two explorers. But Mr. Thwaites showed that the original manuscripts of these journals amounted to over a million words, from which Biddle prepared a condensed popular narrative of 370,000. Practically all of the scientific matter was omitted, as Dr. Benjamin S. Barton had been engaged to make a separate volume of this, but he died without preparing his part. From 1816 to 1818 Thomas Jefferson spent much time in collecting the scattered note-books, which he deposited with the American Philosophical Society at Philadelphia, in trust for the public. In 1892-1893 Dr. Elliott Coues made several extracts from these manuscripts, as notes to his reprint edition of Biddle's work; but the manuscripts are, as a whole, as yet unpublished. Recently Mr. Thwaites unearthed in New York, among the Clark heirs, several

additional note-books by William Clark, together with a large mass of other data relative to the expedition. The story, as told by Mr. Thwaites, abounds in interesting details, some of them humorous, but others almost tragic in character.

On Tuesday evening a joint meeting of the two Associations was held at Newcomb Hall. President Edwin A. Alderman, of Tulane University, gave the address of welcome, in the course of which he spoke of the interesting and picturesque character of the history of the city, and of the fundamental tragic fact in the life of the South, the presence of the negro—the all-important economic fact of the present as of the past. For sixty years, he declared, the South stood ready to die and did die for the doctrine of state sovereignty, and to-day it would die for the doctrine of racial integrity: he deprecated, however, the continued discussion of the race question—"the discussion has become a national disease and should be quarantined against, for it is getting hysterical and dangerous." The speaker concluded that people who hold to high political doctrines which do not admit of compromise in their minds gain in a genius for intensity of conviction what they lose in liberalism, and that America needs the intense idealism of the South. Professor E. R. A. Seligman, president of the Economic Association, spoke on "Social Aspects of Economic Law." He said that while everyone is aware that economics is a social science, the theory has received lip-service only and not brain homage. He asked real recognition of the social basis of economic law, and advocated serious application of sound social principle to the solution of the pressing problems of the day. "We are beginning to see", he declared, in referring to the labor problem, "that the securest guaranty of liberty is the social sanction—that true and perfect freedom is at bottom the outgrowth of social forces, and that individual bargaining results in a mere empty husk of freedom." The speaker dwelt chiefly on the need of a new study of taxation based on the existence of economic law and in accord with actual social facts and forces. "We shall then be able to prove", he said, "that in order to secure justice we do not need to impose a tax which seeks equally to hit in the first instance every individual member of the community." He argued, however, that the proper subordination of the individual does not mean his depreciation or the establishment of the crude socialism that is loudly proclaimed by some as the ideal policy of the future.

The address of Dr. Henry C. Lea, president of the Historical Association, was read by Professor Haskins, as Mr. Lea was unable to be present. It was published in the January number of the

REVIEW and therefore needs no long description here. The reader will remember that Mr. Lea in discussing ethical values in history pronounced as utterly fallacious the notion that there is an absolute and invariable code by which men of all ages and all degrees of civilization can be judged. Standards of right and justice, in part at least, are merely a social product changing with the passing years, and to judge a man's motives and acts by the rigid rule of to-day is to judge unjustly. The historian who would aspire to be a judge must not try a case by a code unknown to the defendant. Mr. Lea considered at some length the career of Philip II. of Spain, declaring that the student in earnest quest of truth may reasonably pause and ask himself whether Philip is to be held morally responsible for all his acts, whether he was a mere bloodthirsty tyrant, rejoicing in the suffering of others, or the conscientious but misguided agent of false standards, believing himself to be rendering the highest service to God. The address, therefore, advocated a calm recital of facts and conditions, the telling of the unadorned tale which because of its truth will not lose its claims as a teacher of the higher morality. The study of the past in this spirit may render us more impatient of the present and more hopeful of the future.

The Wednesday morning session was devoted to a conference on the study and teaching of history in the south. Professor W. E. Dodd, of Randolph-Macon College, spoke of the discouraging conditions in the south, where the teachers are underpaid, the school equipment is meager, and the pupils preparing for college have difficulty in getting proper instruction. He spoke of the rigidity of public opinion and of the fact that a large portion of the people are not accustomed to reading or the use of books. Under the circumstances strenuous effort must be made to awaken the people of the south, who love their own past and take pride in the achievements of their fathers, to an intelligent, sympathetic interest in history and history teaching in the schools and colleges. Professor Alcée Fortier spoke of the curriculum in the New Orleans schools, and referred to the work of the Louisiana Historical Society and to its collections. Miss Lilian W. Johnson, of the University of Tennessee, spoke principally of the work done in the schools and colleges of Tennessee, of the influence of the summer school at Knoxville, and of the spirit of progress that is discernible even though to the impatient the forward movement seems at times hopelessly slow. The difficulties of the situation are heightened by the fact that Tennessee has a debt, a reminder of the days of Reconstruction, and has, moreover, no school fund. The school system must be supported only by direct and immediate taxation.

Professor Frederick W. Moore, of Vanderbilt University, discussed the past rather than the present of historical study. He spoke of the conditions before the war, of the men who had been conspicuous teachers of history in the early days, and of the gradual improvement in recent years. Up to 1860 the north and south were not very unequal in their facilities for historical study; in both sections there was gradual improvement. In the next fifteen years the northern schools and colleges developed their curricula; in the south conditions grew worse. During the last twenty years there has been a rapid growth at the north and slow improvement at the south. Professor Franklin L. Riley, of the University of Mississippi, spoke of the work done in his state for the improvement of historical teaching and study, but dwelt chiefly on the founding of the Mississippi Historical Society and the establishment of the department of archives and history in the state government. Professor David Y. Thomas, of Hendrix College, commented briefly on the situation in Arkansas. Mr. Thomas M. Owen, who is in charge of the newly-created department of archives and history of the state of Alabama, gave a statement of the aid that is now given by the southern states for the preservation, collection, and publication of their records and other historical material. Scarcely any states in the Union are doing as much as are Alabama and Mississippi, where the state governments have established departments charged with the task of gathering and preserving valuable historical papers. Most of the other southern states do not give much direct financial support to historical undertakings, though some of them have made appropriations for the publication of materials. In Texas a small appropriation has been made for the classification and translation of early Texas manuscripts, while the historical association without material financial encouragement from the state has been courageously undertaking the enormous task of bringing together the old records and miscellaneous papers bearing on the early history of the southwest. Professor J. Franklin Jameson, of the University of Chicago, commented briefly on the condition of historical study and teaching in the south, saying that there is every reason to be encouraged by the undoubted evidences of advancement, reminding his hearers that but a few years ago the East had accomplished but little and that the West still faces many of the problems that now confront the South. A single and, if need be, a self-sacrificing devotion to the cause of history, he said, is the surest mode of removing the obstacles to progress. The paper of Professor Lucy M. Salmon, of Vassar, was not intended to have peculiar bearing on the problems of the Southern teacher. She

discussed in a most entertaining and suggestive manner the problem of cultivating by historical study the pupil's power of observation. Opportunity for developing this faculty is everywhere abundant and open to every discerning and intelligent teacher. Historical occurrences as well as human aspirations are plainly presented in the place-names of every region of America. The architecture of every land, too, is a solid, permanent record of its stages of civilization and its different phases of human thought; thus, to the observant student of history the evanescent and ephemeral spirit of the passing centuries is seen firmly fastened in the stone, brick, and mortar of private dwellings and public edifices.

The afternoon session of Wednesday was taken up with three papers on European history. Professor F. M. Fling, of the University of Nebraska, read a paper entitled "Louis XVI., Machault, and Maurepas", in which he examined the commonly accepted tradition that the king began the series of unfortunate acts that led to his execution by selecting as his adviser the frivolous Maurepas in place of the upright and sober Machault. According to the common story, he had originally decided upon Machault, but, yielding to the influence of his aunt Adelaide, he recalled the messenger and substituted Maurepas for Machault on the envelope. The tradition, Professor Fling declared, is a mere legend, against the probability of which can be cited, not only written evidence, but the historical setting and circumstances of the time. Maurepas was the man that would naturally be chosen as adviser; Machault was an impossibility. The next paper was on "Sermons as a Source of Medieval History", by Professor C. H. Haskins, of Harvard, which will be printed in a succeeding number of the REVIEW. It dwelt chiefly on the sermons preached at Paris in the thirteenth century, which contain much valuable material for the history of medieval culture. They throw light on the every-day life of the time and especially upon university conditions, touching upon various aspects of academic methods and procedure, the character of the studies pursued, and the nature of the examinations. Dr. H. A. Sill, of Cornell University, next spoke on "Plato in Practical Politics." Plato's political theories, Dr. Sill maintained, were intended to lead to practical results. He had purposed in early life to enter public service; the *Republic* was offered as a concrete programme of attainable reform; its more polemical portions were directed against imperialistic democracy as well as against the Tyrannies represented by Dionysius of Syracuse. On the death of Dionysius, Plato was called by the party of reform to Syracuse to give aid in the establishment of a constitutional monarchy and in

freeing the communities subject to Syracuse. The attempt failed, but he still clung to the hope of affecting the policy of the younger Dionysius. He took no active part in the revolution, which resulted in nothing but confusion. *The Laws*, written near the end of Plato's life and designed to present his theories in a form adapted to actual existing conditions, was evidently composed in a spirit of resignation, bearing witness nevertheless to his undying hope that his ideals might find ultimate realization.

The session of Wednesday evening, the third session of a day filled with good papers and interesting discussions, was devoted to diplomatic history. Professor F. J. Turner, of the University of Wisconsin, read the first paper, which was a valuable summary statement of the relations of Spain, England, and France in the Mississippi basin from 1789 to 1803. In an article which will be printed in an early number of the REVIEW Professor Turner will consider the subject in a somewhat different form and with more detail. It is necessary, therefore, only to say here that the paper dwelt on the significance of the Louisiana purchase, which gave to the United States the undeniable control of the Mississippi basin, and put an end to a long system of intriguing and plotting which had occupied France, Spain, and England for so many years; it recounted briefly the efforts of Spain to secure the western country, the later ambition of France, and the hope of England. The chief value of the paper lies in the fact that it traces in broad outline through the administrations of Washington and Adams the course of diplomatic history; for in the twenty years succeeding the Revolution, as throughout the war itself, diplomatic effort and diplomatic difficulty were intimately associated with the great problem of the west, with American expansion and the occupation of the Mississippi valley, for the possession of which France and England had already fought a long and exhausting war. The paper read by Professor George P. Garrison, of the University of Texas, on the annexation of Texas, will also be published in the REVIEW. The reader will see that though the title is an old one, the treatment is new, that the whole is an important study largely based on hitherto unused documents. Possibly the statement that will attract most attention is that the annexation movement was not brought into being or at first stimulated by pro-slavery influences; that it was the natural product of American growth, of American expansive spirit. The student who has read Western history to any purpose will probably be easily convinced by Professor Garrison's assertions. Dr. Jesse S. Reeves gave an interesting account of the events leading up to the treaty of Guadalupe-Hidalgo. He told of the

appointment of Trist as commissioner for this critical negotiation. Trist was a clerk in the State Department, devoid of diplomatic experience and without the diplomatic temperament, but he was thought to be amply qualified to bring to an end Polk's "little war", which was intended to be a lesson to the Mexicans and to furnish an opportunity to get much land as an indemnity for a little trouble. The idea of sending a peace commissioner to accompany the army and seek a favorable opportunity for proposing peace was a very unusual procedure, which may be explained by the coincidence that Santa Anna, having been permitted by Polk to pass into Mexico, had barely arrived at the capital when Polk's overture for peace reached him. Trist succeeded in getting into sundry difficulties with General Scott, in giving untold annoyance to Polk, who wanted California without too much fighting and without any commotion, and finally, in making a treaty, after he was recalled, which was in exact conformity with the letter of his original instructions—a unique and amusing episode in diplomatic history. His correspondence leads one to believe that he did this because he thought that Polk now wanted all of Mexico and that he could throw on Polk the odium of making excessive demands and annihilating Mexico. A generation after these events, this petulant diplomat, who had disregarded the orders of his superior and made a treaty which turned over an empire to his country, was paid by Congress for his successful if forbidden services.

The day's programme was brought to an end by an entertaining talk by Dr. Clarence W. Bowen, who spoke of a collection of valuable manuscripts in his possession—the correspondence and diaries of Baron von Closen of Count de Rochambeau's staff. The papers furnish important material for the study of the social conditions and military incidents of the Revolution. By the use of a stereopticon some of the more interesting letters and a number of original drawings by von Closen were exhibited, among the drawings being a sketch of Martha Washington by Alexander Hamilton.

At the Thursday morning session, which, like all the sessions of the previous day, was held at Tulane University, papers in the general field of American history were read. The paper by Professor Max Farrand, of Leland Stanford, which we have the privilege of publishing in this number of the *REVIEW*, was the first on the programme. In an interesting paper on the Constitutional Convention of 1864 in Louisiana, Professor John R. Ficklen, of Tulane University, described the effort to form a constitution, the problems that were presented to the convention, and especially the difficulty of dealing with negro suffrage. Peculiar interest attaches to the

convention because it was one of the earliest attempts to restore a seceded state to its place in the Union; because it shows what Union men within the Federal lines were willing to do for the negro; because the reconvening of this convention in 1866 is properly regarded as the proximate cause of the severity of Congressional Reconstruction in the south; and lastly, because the scheme devised for the reconstruction of Louisiana was entirely the work of Abraham Lincoln. The result of the convention's work was a constitution containing every provision desired by General Banks, and otherwise mainly a revised edition of the constitution of 1852. It favored the abolition of slavery, and provided for public schools for colored and white children, but did not extend suffrage to the negroes. The convention lasted seventy-eight days, adopted a constitution filling ten pages, and spent during its deliberations \$125,000, of which \$791 was for goblets and wine-glasses, and \$9,421.55 was for liquors and cigars. The next paper on the programme was by Hon. Peter J. Hamilton, of Mobile. It gave an outline of the history of West Florida from 1763 to 1781. The last paper of the morning was on "Popular Sovereignty and the Development of the West", by Professor Allen Johnson, of Iowa College. The paper was substantially a study of Stephen A. Douglas and the Kansas-Nebraska Act. The argument was in brief as follows: Neither Douglas nor any other statesman invented the doctrine of "squatter sovereignty". The right of the people to regulate their own domestic concerns was already a part of the political creed of Western democracy. Douglas, always an advocate of territorial expansion, sought to give it wider application in the new territories. He is not, therefore, to be regarded as a tool of the slave power. The Kansas-Nebraska Act was the outcome of repeated efforts through ten years to secure the organization of the Territory of Nebraska. His chief concern was the development of the farther west, so that our Pacific possessions might be brought into vital connection with the commonwealths of the Mississippi valley. The Kansas-Nebraska Act was not planned before the thirty-third Congress as a political coup. Douglas believed that by repealing the Missouri Compromise in favor of the principle of "popular sovereignty" he was making an apparent but not an actual concession to the South. He did not expect that even Kansas would become slave territory.

The last session of the Association was held in connection with the Economic Association, the subject of discussion being the relation of sociology to history and economics. There was much sober statement, considerable assertion, and a good deal of amiable recrimi-

nation. The debate was not without interest, but the residuum of conviction was negligible. The sociologists complained that history is unscientific, if not meaningless. The historian answered that facts are facts, even if sound generalizations are not drawn from them, and they denounced the modern notion that knowledge is not knowledge if it is not obtained, classified, and labeled according to the demands of the student of physical science. The sociologists, the historian suggested, may draw as many conclusions as they see fit and torture facts to suit as many hypotheses as they choose, but they ought not to be deluded into the supposition that their work is historical. The opening paper was by Professor F. H. Giddings, of Columbia, who said that he conceives of sociology as a study of the general forms of social phenomena, and the general causes operative in society; while statistics, history, and ethnography are studies of concrete social relations or occurrences in the present, the recorded past, and the unrecorded development of man before history, properly so called, begins. He developed at some length his conception of sociology as a theory of social causation. Those philosophies of history that are metaphysical were set aside as practically valueless, and those materialistic theories, like Montesquieu's and Buckle's, which try to explain social changes in terms of the direct action of the physical environment upon the human mind, were likewise inadequate. The real key to the explanation of social evolution is found in those characteristics of the physical environment which determine the ethnic and the psychological composition of a population through the processes of migration, including emigration and immigration. In conclusion the speaker called attention to some of the relations of this composition of a people to the possibilities of liberalism and democracy in their social organization. Professor Giddings was followed by Professor Albion W. Small, of the University of Chicago, who contended that the historians, in spite of all their rejoicing over a new era, have not as yet found the social viewpoint. They spend all their time in indexing dreary, profitless details about inconsequential folk, in developing their technical skill for the discovery of insignificant objects, in learning so much about how to investigate that they have forgotten what is worth investigation. Professor Charles H. Cooley, of the University of Michigan, in discussing the paper, said that there are three ways of thinking about the nature of history as regards cause and effect, *viz.*, the materialistic, the idealistic, and the organic, that of these the last was the right way, and that it had not been sufficiently emphasized by the speaker. Professor George L. Burr, of Cornell, in a very interesting criticism of Professor Giddings's asser-

tions, contended that the grievance of which Professor Giddings complained is only that the word history has never meant what he would now make it mean. The theme of history has indeed been, not generalizations, but the lives and deeds of individuals—individual men, individual peoples, individual states, individual civilizations; its method has been, not biologic, but biographic; its prime aim, however obscured now and then by the prepossessions, theologic or sociologic, of the historian, has always been, in the simple phrase of Ranke, to learn and to tell *wie es eigentlich gewesen ist*. History may possibly not be scientific. It is not the sciences alone that have a right to their names and to their fields. If history is not a science of society, it is more; it is society, it is travel, acquaintance, experience, life. Professor Willis M. West, of the University of Minnesota, in his comments on the paper, remarked on the readiness of the sociologists to rush in where historians decline to spin cobwebs. The historian, in close touch with complex facts, denies the possibility of capping social life with a formula. The sociologist, with commendable confidence, calls out, "Then bring me your facts and I will tell you what they mean." But there will be no such quaint division of labor. So far as history can be explained, the historian means to explain it himself; and he feels as competent to do so as anyone can be who does not study it. The remarks of Professor Emerton, of Harvard, were in substantial accord with the arguments of the other historians. "I cannot help thinking", he said in conclusion, "that under the seductive name of sociology we are here meeting once more the ghost of our ancient enemy, the philosophy of history. I am far from denying that there is a great variety of human facts that can be studied in themselves and in their manifold relations with much profit to our day, and in so far as it is the work of sociologists to gather and marshal these facts in usable form, it is worth while to enrich our vocabulary by this one more word of classification. But if sociology is to spend its energies in concocting schemes of philosophy to explain the past and in ever so slight a degree to predict the future, then the sooner it is resolved into its constituent parts and dropped from the schedules of our institutions of learning, the better." Dr. Lester F. Ward, of the Smithsonian Institution, said that the difference between sociology and history is that sociology is science, while history is not. Sociology is based on a train of causation; history on a train of facts. History he declared to be an agreeable occupation and a pleasant pastime.

The business meeting of the Association, which was held Thursday afternoon, was as usual not the least interesting of the sessions.

Dr. James Ford Rhodes presided. The corresponding secretary, Professor Haskins, gave the report of the Council, spoke generally of the business that had been transacted, and said that the Council had decided that in the future the members of the Association should be consulted more generally than in the past concerning the election of officers, and that blanks would be sent out, upon which members might suggest their choices for officers and make any other suggestions concerning the work of the Association. Following a recommendation of the Council, the Association voted to discontinue the Church History Section; the reason for this step is simply that the work of the Association is so broad and inclusive that there is no need of separating church history and distinguishing it from other fields of historical study. This action was in accord with a report made by a committee composed of Professor Samuel Macauley Jackson, Professor George P. Fisher, and Professor William A. Dunning, who had been asked by the Council in 1902 to get the opinions of members interested in church history, consider the question of the continuance of the section, and investigate the advisability of taking such action. Dr. Bowen, the treasurer, in giving his report for the year, was enabled to say that in spite of increasing expenses, the funds of the Association had grown during the year. The total receipts were \$7,204.02 and the net gain \$736.49. The number of members on the rolls last year was 2,070. The assets of the Association now amount to something over \$21,000.

The most interesting and significant new departure was the establishment of a Pacific Coast Branch of the Association. The constitution of this new organization and the terms of its relationship to the general organization are simple. Members of the American Historical Association residing in states wholly or in part west of the Rocky Mountains may, if they so desire, be enrolled as members of the Pacific Branch; other persons desiring membership may become members, if approved by the executive committee, by paying the ordinary dues to the treasurer of the general Association. The president of the Pacific Branch or a delegate is entitled to attend the meetings of the Executive Council of the American Historical Association, from whose treasury is to be paid a reasonable sum for clerical expenses of the yearly meetings of the Pacific Branch. An account of these meetings and the papers deemed suitable for inclusion in the *Reports* of the Association are entitled to be printed.

Professor E. G. Bourne, chairman of the Historical Manuscripts Commission, in reporting on its work, called attention to the recent publication of the Chase Papers. In the near future the commission

will present for printing the despatches of the French ministers in this country between 1795 and 1798, something over 350,000 words in all, throwing much light on the diplomatic history of the period. They are to be edited by Professor F. J. Turner. In addition the commission has in contemplation the publication of documents bearing on the diplomatic history of the Republic of Texas, some 15,000 manuscript pages, opening up the important and interesting history of the relations of Texas with the United States, Great Britain, and France. The editorial work is in the hands of Professor George P. Garrison. The commission, Mr. Bourne reported, are planning to print and distribute a short set of rules or instructions for the transcription and publication of historical manuscripts. For the Public Archives Commission, its chairman, Professor Herman V. Ames, reported considerable progress during the past year. The field of investigation is now so extended that the commission is represented in nearly three-fourths of the states. It is expected that the publications of the Association for 1903 will contain reports from at least six states—Rhode Island, New Jersey, Virginia, Georgia, Texas, and Colorado. In addition to their other work, representatives of the commission have taken the initiative in securing legislation for the better supervision of the archives of Pennsylvania and have begun work for a similar purpose in New York. For the board of editors of the *AMERICAN HISTORICAL REVIEW* Professor George B. Adams spoke chiefly of the fact that the office of the managing editor of the *REVIEW* is now in Washington. Professor A. C. McLaughlin, in supplementing the report of Professor Adams, gave a short statement concerning the relationship of the *REVIEW* to the Carnegie Institution, saying that while there is no definite agreement, the indefinite understanding is that the managing editor of the *REVIEW* will be the director of the Bureau of Historical Research established by the trustees of the Carnegie Institution. He also referred to the contemplated work of the Bureau of Research, reference to which is made on another page of this issue. The committee on the Justin Winsor Prize reported through its acting chairman, Professor Charles H. Hull, of Cornell, that the prize for the year 1903 had been awarded to Dr. Louise Phelps Kellogg, of Madison, Wisconsin, for a monograph on "The American Colonial Charter: a Study of its Relation to English Administration." Following the recommendation of the committee, the Association voted to offer a prize for the best essay on European history, the sum awarded to be charged to the Adams fund, and the prize to be called the Herbert Baxter Adams Prize. Resolutions were passed thanking the hosts of the Association in New Orleans for their courtesies.

The life and services of General Edward McCrady, who held at the time of his death the office of second vice-president in the Association, were appropriately recognized in resolutions of sorrow and respect. The Association voted to meet next year in Chicago and expressed its expectation of meeting in 1905 at Baltimore and Washington, and in 1906 at Providence. The committee on nominations, composed of Mr. Reuben G. Thwaites, Professor J. A. James, and Professor J. M. Vincent, proposed a list of officers, who were then chosen by the Association. Dr. Goldwin Smith was made president; Professor John Bach McMaster, first vice-president; Judge Simeon Eben Baldwin, second vice-president. Mr. A. Howard Clark, Professor Charles H. Haskins, and Dr. Clarence W. Bowen were once more elected to the positions they had previously held. To the Council were chosen Professor Edward G. Bourne and Professor Andrew C. McLaughlin in place of Professor J. Franklin Jameson and Professor A. Lawrence Lowell, who had served three years as members of the Council.

OFFICERS AND COMMITTEES OF THE AMERICAN HISTORICAL
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<i>President,</i>	Goldwin Smith, Esq., Toronto, Canada.
<i>First Vice-president,</i>	Professor John Bach McMaster, Philadelphia.
<i>Second Vice-president,</i>	Judge Simeon Eben Baldwin, New Haven, Conn.
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<i>Corresponding Secretary,</i>	Professor Charles H. Haskins, 15 Prescott Hall, Cambridge, Mass.
<i>Treasurer,</i>	Clarence Winthrop Bowen, Esq., 130 Fulton St., New York.
<i>Executive Council</i> (in addition to above named officers):	
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Finance Committee: Elbridge T. Gerry, Esq., 261 Broadway, New York, chairman; George S. Bowdoin, Esq.

Committee on Programme for the Twentieth Meeting: Professor J. Franklin Jameson, University of Chicago, chairman, Professors Henry E. Bourne, Ralph C. H. Catterall, Charles H. Haskins, and Reuben G. Thwaites, Esq.

Local Committee for the Twentieth Meeting: Charles L. Hutchinson, Esq., Chicago, chairman, Edward E. Ayer, Esq., E. W. Blatchford, Esq., Edward O. Brown, Esq., James H. Eckels, Esq., Dr. James W. Fertig, Marshall Field, Esq., Charles F. Gunther, Esq., President William R. Harper, Dr. Franklin H. Head, H. N. Higinbotham, Esq., Professor James A. James, Professor J. Franklin Jameson, Professor Harry P. Judson, Elbridge G. Keith, Esq., Samuel H. Kerfoot, Jr., Esq., Hermann H. Kohlsaat, Esq., General J. B. Leake, Franklin MacVeagh, Esq., E. E. Prussing, Esq., Martin A. Ryerson, Esq., Dr. Otto L. Schmidt, Professor Francis W. Shepardson, Professor Edwin E. Sparks, Professor Benjamin S. Terry, Dr. James Westfall Thompson, and Dr. Joseph P. Warren (with power to add members at the discretion of the chairman).

Committee on the Entertainment of Ladies at the Twentieth Meeting: Mrs. Mary J. Wilmarth, Auditorium Annex, Chicago, chairman, Miss Sophonisba Preston Breckinridge, Miss Ida M. Tarbell (with power to add auxiliary members at the discretion of the chairman).

Editors of The American Historical Review: Professors Andrew C. McLaughlin, H. Morse Stephens, George B. Adams, J. Franklin Jameson, William M. Sloane, and Albert Bushnell Hart.

Historical Manuscripts Commission: Professor Edward G. Bourne, Yale University, chairman, Professor Frederick W. Moore, Professor Theodore C. Smith, Reuben G. Thwaites, Esq., Professor George P. Garrison, and Worthington C. Ford, Esq.

Committee on the Justin Winsor Prize: Professor Charles M. Andrews, Bryn Mawr College, chairman, Professors Edward P. Cheyney, Charles H. Hull, Williston Walker, and Roger Foster, Esq. (In Professor Andrews's absence during a portion of the year Professor Hull, Cornell University, will act as chairman of the committee.)

Committee on the Herbert Baxter Adams Prize: Professor Charles Gross, Harvard University, chairman, Professors George L. Burr, Victor Coffin, James Harvey Robinson, and John Martin Vincent.

Public Archives Commission: Professor Herman V. Ames, University of Pennsylvania, chairman, Professors William MacDonald, Herbert L. Osgood, Charles M. Andrews, and Edwin E. Sparks.

Committee on Bibliography: Ernest C. Richardson, Esq., Princeton University, chairman, A. P. C. Griffin, Esq., George Iles, Esq., William C. Lane, Esq., Reuben G. Thwaites, Esq., and Professor Max Farrand.

Committee on Publications: Professor George W. Knight, Ohio State University, chairman, A. Howard Clark, Esq., Professors Fred M. Fling, Samuel M. Jackson, Elizabeth K. Kendall, Anson D. Morse, and Earle W. Dow.

General Committee: Professor Henry E. Bourne, Western Reserve University, chairman, Professors Lucy M. Salmon, Lilian W. Johnson, George E. Howard, John S. Bassett, William MacDonald, George B. Adams, Charles H. Haskins, and Marshall S. Brown.

JEAN RIBAUT AND QUEEN ELIZABETH

WITH the approach of the centenary celebration of the Louisiana purchase the mind reverts to the first French colony within the present limits of the United States, a colony which, owing to the utter want of foresight and practical experience on the part of its leaders, was attended with lamentable failure. But the men who planted it, though unfitted for colonial ventures, were full of daring and enterprise, and it may not be without interest to clear up an obscure period in the life of its founder, the Huguenot Jean Ribaut, a typical character of that period when France was distracted with internecine wars, and the men trained in its school were ready for every species of adventure.

In the year 1562 Jean Ribaut, having established a settlement at Port Royal, in South Carolina, sailed away for France, in the expectation of returning in the course of a few months with supplies and reinforcements for the small body of men he had left there. The date of his arrival in France, at the end of July of the same year, was a most unpropitious moment for the future of his little colony. Civil war, fomented by England and Spain, each ostensibly in the interest of religion, was raging between the Catholic and Huguenot parties, and the unity of his country was in imminent danger. Coligny, the original promoter of the colonial scheme, was immersed in the fratricidal struggle, and could give Ribaut and his enterprise but passing attention, and so the settlement at Charlesfort was left to its fate. Ribaut is said to have taken an active part in the war, and at the conclusion of the peace of Amboise, which was signed in March, 1563, betook himself to England, where in the summer of the same year he published the results of his Florida expedition. The histories tell us that he there offered his services to Elizabeth, but give no additional details. What actually occurred, so far as it can be gathered from the correspondence of the Spanish ambassadors at the English court, is somewhat remarkable.

Ribaut did not confine himself to the arts of peace alone, for the experience and knowledge he had acquired in Florida were more than sufficient to secure him a ready admission into the circle of adventurers who were just beginning to display their activity and to lay the foundations of the English navy. It is evident that he had in no wise become discouraged at Coligny's failure for the time

being to assist the colony in Florida and was seeking eagerly about him for resources to further the enterprise. Through what channel his presence in England became known to Queen Elizabeth we have no present means of knowing, but it seems probable that he could have been but a short time in the country before he obtained an audience with the queen. Ribaut set before her the importance and wealth of Florida, and urged her to assist him in its conquest. Elizabeth, after listening to his relation, began to refuse him her immediate help, "so that if Philip should complain she would be able to swear that nothing had been done by her order", although her official relations with Spain at the time were not of the most friendly nature. However, she urged Ribaut to undertake the adventure himself, promised him half of all that he found, and added that even were the country not so good as she had been told, it was on the way of the ships from New Spain, Peru, and elsewhere, which Ribaut could safely seize.¹ But the temptation proved too great to be long withstood even by Elizabeth's tender conscience, and she ended by offering him a pension of 300 ducats and a house as an inducement to undertake the discovery. At a later period, when the incident was closed, Ribaut disclaimed ever having accepted the bribe.²

However this may be, it appears that in May, 1563, the notorious Thomas Stukely was arming a fleet of five vessels, to which Ribaut had contributed one and Elizabeth another. The crew was 300 strong, and the fleet, which was well equipped with supplies, ammunition, and artillery, flew the royal standard presented by the queen herself. There were three French pilots aboard, who had previously accompanied Ribaut to Florida. Quadra, Philip's ambassador in London, was himself inclined to attach some credit to the current rumor that it was designed to attack Florida; but it was also said that its object was to assail the Spanish vessels returning from the Indies.³

Stukely, who had sought and obtained an interview with the ambassador, gave Quadra to understand that he was urged on in the undertaking by the government, but for all that Quadra was not wholly disposed to trust his revelations. Stukely then became most

¹ Silva relates this on the authority of Stukely; see Guzman de Silva to Philip II., London, October 22, 1565, in *Correspondencia de Felipe II. con sus Embajadores en la Corte de Inglaterra, 1558 á 1584*, II. 214. English translation in *Spanish State Papers 1558-1567*, I. Elizabeth, 495.

² Quadra to Philip II., London, June 26, 1563, *Correspondencia de Felipe II.*, I. 527; see also Guzman de Silva to Philip II., London, March 30, 1566, *ibid.*, II. 292, English translation in *Spanish State Papers 1558-1567*, I. Elizabeth, 536.

³ Quadra to Philip II., London, May 1, 1563, *Correspondencia de Felipe II.*, I. 512; same to same, June 19, 1563, *ibid.*, 524. English translations of these letters in *Spanish State Papers 1558-1567*, I. Elizabeth, 322, 334.

profuse in his protestations of friendship for Spain, telling Quadra that he was leaving England dissatisfied and desperate, but with the intention of going into the service of Philip, and that he had risked all of his property in the enterprise. He requested Quadra that on his arrival in any Spanish port or elsewhere in Spanish possessions he should be recognized as a servant of the king. Quadra met his advances with caution, and replied that the thing was impossible, given the friendly relations existing between England and Spain, unless his destination were for parts not included within the Spanish lines of demarcation. And at last the true object of the expedition became apparent, as well as the importance of the part that Ribaut was expected to play, for Stukely answered that no one had visited the country where he was going, except a few Frenchmen a short time before, and that it was but three days distant from Cuba. Quadra then told him roundly that in such case the thing was an impossibility, because the land fell within the lines of demarcation. But Quadra's suspicions were not allayed by Stukely's apparent frankness, which he regarded as merely a cunning device on his part for safeguarding the expedition from Spanish attack. In the letter relating these circumstances, which he wrote to Philip II., he expressed his opinion that the enterprise was really due to French as well as English intrigue, adding, "I have no assurance that he carries a commission; it seems to me that his project is a result of the determination . . . reached by the Admiral of France [Coligny] and of those who govern here to harass that commerce [of the Indies] and to conquer Your Majesty on the Ocean Sea." "I expect to talk about it to the queen", he continues, "although I know what answer she will make me, which is the same answer she has given me on former occasions, and which she has also written me."¹ A week later Quadra wrote that not only was the fleet destined for Florida, but for the very spot where Ribaut had founded his colony, and that Ribaut had promised to turn over to Stukely, together with its small garrison, the fort that he had built there.

The affair was brought to a sudden and most unexpected termination, as far as Ribaut was concerned, by the discovery that he and the three French pilots had planned to escape to France with the ships and hostages. The outcome of it was that Ribaut was seized, thrown into prison, and threatened with hanging, while the three pilots were put into chains and kept to conduct Stukely's fleet.²

In the light of contemporary events it is permissible to doubt whether Ribaut had at any time intended to betray the Florida colony.

¹ Quadra to Philip II., June 19, 1563, *Correspondencia*, I. 524; *Spanish State Papers 1558-1567*, I. Elizabeth, 334.

² Quadra to Philip II., June 26, 1563, *Correspondencia*, I. 527.

into English hands. Havre was still occupied by the English, and it was only on July 29 of this very year that it was finally returned to France after fierce fighting under its walls and after the plague had decimated its English garrison; and Calais, which Elizabeth was most anxious to recover, was still held by the French. Ribaut was a brave, cool, and determined man, as subsequent events proved, and moreover he was a Frenchman; which means that he loved his native soil with the devotion that preëminently distinguishes his race and has made of it the most home-loving of people. This dramatic incident in Ribaut's career occupied less than two months, and it may well be supposed that the hardy Dieppois, who, like the French of to-day, probably looked upon all foreigners as barbarians, was not at all averse to practising a clever trick on Stukely and his English queen, and had entered into his engagements at the very outset with this end in view.

Whether he was released from his English prison or managed to make his escape we do not know. There is good reason to believe that he was still in confinement at the date of the sailing of the second expedition, under Laudonnière, on April 22 of the following year,¹ but he was back again in France in time to head the fleet that sailed in May of 1565 to the relief of the ill-fated colony in Florida, where he suffered the death of a brave man with the fortitude of a Christian.

When some two years later Philip notified Elizabeth of his indisputable rights to Florida, the French aggressions there, and the chastisement he had inflicted upon them, the crafty queen did not forget her caution. She congratulated Philip on his success, and bade de Silva convey her thanks to his king for having advised her of the event. At the same time Elizabeth expressed her surprise at learning that Florida had been discovered and occupied by Spain. In her ignorance of Philip's right, "she had always believed that Captain Ribaut had been the first to have discovered it; for he had come to her with the news of its discovery, and she had determined to send to conquer it herself", and she concluded by asking Philip's pardon for what she had done.² The incident establishes beyond doubt that Stukely was merely the instrument of Elizabeth in carrying out her serious designs to occupy Florida, and that the rumor of such an intention was not a mere blind given out to conceal an ulterior object of preying upon the Spanish fleets, as some have supposed.³

WOODBURY LOWERY.

¹ Stefano de Rojomonte in his deposition states that Ribaut was still in prison at the date of sailing of the second expedition in April, 1564. See *Noticias de la población que habian hechos los Francés en la Florida*, Archivo General de las Indias, Seville, MS. Patronato, Estante I; Cajon I; Legajo 14; Ramo 14.

² Silva to Philip II., March 30, 1566, *Correspondencia*, II. 292.

³ See *The School of Shakspeare*, by Richard Simpson, London, 1878, I. 32, *et seq.*

FREDERICK THE GREAT AND THE AMERICAN REVOLUTION

IN attempting to arrive at a conclusion upon the much-debated subject of the attitude of Frederick the Great toward the American Revolution, the reader should constantly bear in mind two important facts about which there is no room for dispute.¹ One of these facts is that Frederick entertained an intense hatred for England, and was consequently glad to see her humiliated; the other, that his interests were such that he was unwilling openly to become her enemy. His hatred dated from the year 1761. Up to that time the English government, under the leadership of Pitt, whose policy was to "conquer America in Germany", had for some years supported him in his unequal contest against his allied enemies by undertaking the defense of his western frontier against the French and by furnishing him an annual subsidy of about £700,000. But in 1761 the Great Commoner was driven out of office; the Tory party, led by the Scotch favorite, the Earl of Bute, seized the reins of power, and at once proceeded in a most treacherous manner to desert their hard-pressed ally by making terms with France. This was an action that Frederick never forgave, and thereafter he entertained toward England, and particularly toward the party in

¹ The most useful source in determining Frederick's attitude is the voluminous correspondence between him and his ministers at home and abroad. This correspondence, in which Frederick expressed himself without reserve, is accessible in the archives at Berlin and in transcript form in the Bancroft Papers in the Lenox Library, New York city; yet, strange to say, no American writer, save Bancroft himself, seems to have made use of it. Many of the others who have felt called upon to discuss the subject have been content to glean their arguments from secondary sources, while a few have consulted the diplomatic correspondence of the Revolutionary period in the editions of Sparks or Wharton. Unfortunately, even Bancroft did his work under circumstances that rendered it difficult for him to be impartial. At the time he wrote his chapter on "The Relations of Two New Powers" (Vol. X., original edition, 1874) he was our representative at the court of Berlin, and was, there is reason to think, somewhat carried away by his enthusiasm for the new German Empire. Consequently he wrote in such a way as to cause certain writers, among them M. Henri Doniol, author of the monumental work *Histoire de la Participation de la France à l'Établissement des États-Unis*, to regard him as "the inventor of the gratitude due from America to Germany". Adolphe de Circourt, *Histoire de l'Action Commune de la France et de l'Amérique pour l'Indépendance des États-Unis*, Paris, 1876, Volume III., contains some of these letters. The subject is also discussed in Friedrich Kapp, *Friedrich der Grosse und die Vereinigten Staaten von America*, Leipzig, 1871. A review of the facts with quotations from the correspondence seems, however, worth while.

power, the most bitter resentment. Nor was this feeling lessened in intensity when about a decade later, at the time of the first partition of Poland, the British intrigued to prevent him from acquiring Danzig.

Frederick's writings are full of passages in which he vents his hatred toward his former ally. In his *Memoirs after the Peace* occurs the following: "The King of Prussia had more cause for complaint than all the rest [of the European powers]. He had to reproach the English monarch with the peace he had concluded with France, by which England had abandoned Prussia, and with all the arts that had been used to dispossess him of the port of Danzig."¹ He frequently expressed his hostility elsewhere.² "My indifference for this latter power" [England], he said at one time, "can surprise nobody: 'a scalded cat dreads cold water', says the proverb; and, in fact, what union could be contracted with this crown after the signal experience I have had of its duplicity? If it would give me all the millions possible, I would not furnish it two small files of my troops."³ In the same strain he wrote on January 20, 1778: "Meanwhile, I do not wish to dissimulate to you, for however much England may attempt to ally herself with me, I will never consent. I cannot be won over with money as so many other German princes have been. My unalterable determination is not to contract an alliance with a power which has deceived me so infamously as did England in the last war."

Against Bute, whom he blamed as the author of the desertion, and whom he believed, though wrongly, as we know to-day, to be still the power behind the English king and ministry, Frederick entertained the most intense personal bitterness. "The Scotch earl Bute", he wrote, "governed the king and the kingdom. Resembling those malignant spirits of which we continually speak, but which we never see, he concealed both himself and his operations in deep darkness. His emissaries, his creatures, were the engines by which he moved the political machine, according to his will. His system of politics was that of the old Tories, who maintained that the happiness of England required that the king should enjoy despotic power."⁴

¹ Frederick's *Works* (Holcroft's translation), IV. 179.

² See, for example, letters to Baron de Maltzan, his minister to England, January 3, 1774; November 6, 1775; March 31, 1777, in Circourt, III. 162, 179, 208.

³ Frederick to de Maltzan, April 7, 1777, *ibid.*, 209. When not otherwise stated, the reference is to the Bancroft Papers. When the date and the names of writer and recipient are given, no note is attached if the letter is in the Bancroft Papers, unless attention is called to it as being also in Sparks or Wharton. Most of the letters referred to as being in Sparks and Wharton are also in the Bancroft Papers.

⁴ *Works*, IV. 172. See for a humorous expression of his hatred for Bute a letter

But though Frederick hated England, and especially the party that ruled her, he did not wish to go to war with her. Although the first soldier of his age, Frederick wished peace. His concern was for Prussia; and since the dark and stormy days of the Seven Years' War, when his kingdom had come so near to shipwreck, he had grown cautious. He knew that young Emperor Joseph II. was full of ambitious schemes for the aggrandizement of Austria and for the humiliation of Prussia, and he was too wise a ruler to further the aims of his enemies by allowing personal prejudice to lead him into open hostility to such a formidable power as England. This attitude is unmistakably revealed in a passage in his *Memoirs after the Peace*. "This", wrote he regarding his refusal to allow the passage across his dominions of German troops hired by England, "was taking but a feeble revenge for the evil proceedings relative to the port of Danzig; neither did the king desire to come to extremities. Long experience had taught him that a multitude of enemies are found in the world, and that we ought not in sport to raise up foes."¹

In view of Frederick's hatred of England, it was but natural that he should be interested in her troubles with the colonies. As early as June 27, 1774, we find him writing to de Maltzan that he was "curious to see the end of the Bostonian heroism",² and that he wished de Maltzan to pay attention to the quarrel in order to keep him well-informed. Later he said that the colonies were evidently firmly resolved to sustain their liberties and that he disapproved of the English policy.³ Still later he expressed the opinion that it was a hundred to one that regulars would be able to beat militia, but that the colonies would doubtless be able to make British commerce and manufactures suffer greatly, and that Parliament might one day regret having pushed things so far.⁴ His judgment upon the policy adopted toward the colonies was spoken in no uncertain terms. "The treatment which the colonies are experiencing", he wrote on September 11, 1775, "appears to me to be the first step toward despotism; and if Lord Bute succeeds in it, the mother-country will likewise have her turn, and they will attempt to subjugate her and to lay down the law to her as they are laying it down to the colonies."⁵

to de Maltzan, November 17, 1777. In another letter, dated Dec. 18, 1777, he wrote, "Quand les Bretons un Lord Bute pendront, Lors leurs guerres par tout prosperont."

¹ *Works*, IV. 178.

² Circourt, III. 162.

³ Frederick to de Maltzan, November 14, 1774, *ibid.*, 163.

⁴ Frederick to de Maltzan, February 6 and May 15, 1775, *ibid.*, 168, 172.

⁵ Frederick to de Maltzan September 11, 1775, *ibid.*, 176.

But, though he disapproved of the English policy, he felt that the matter was one in which he was not directly concerned. On February 27, 1775, he said that he did not intend to meddle in the quarrel, but a week later he expressed satisfaction over the fact that the more confused the English affairs became, the less there would be to apprehend for the peace of Europe.¹ In the following June he declared that he would continue to be a "tranquil spectator", and would "await the *dénouement* of the scene with indifference."² The first suggestion made to Frederick that he should form a connection with the Americans appears to have come from de Maltzan, who had been approached by an American agent in London.³ De Maltzan proposed that the king should open commercial relations with the Americans; but Frederick replied: "What you add concerning the establishment of a direct commerce appears to me, considering the actual relations between my state and America, still very problematical. Of all the merchandise in exchange, Virginia tobacco would be the principal article. But without a navy how do you expect me to protect such a commerce or make it respected?"⁴ A month later he expressed himself again in much the same terms.⁵

In the following November a more direct overture was made to the Prussian monarch. In that month William Carmichael was sent by Silas Deane, then agent of the colonies in Paris, to Berlin to make proposals of a commercial nature.⁶ Carmichael accomplished nothing of importance. He explained the character of American products to the Prussian authorities, but found Frederick unwilling to undertake a direct commerce, though he expressed himself willing to exchange commodities through the ports of France.⁷ The next attempt at an understanding was made by the three American commissioners, Deane, Franklin, and Lee, who, in pursuance of the so-called "militia" diplomatic policy, on February 14, 1777, transmitted to the Prussian court copies of the Declaration of Independence and of the Articles of Confederation, and in a letter expressed a desire to obtain Frederick's friendship and to lay before him a plan for commercial intercourse.⁸

¹ Frederick to de Maltzan, February 27 and March 6, 1775, *ibid.*, 170, 171.

² Frederick to de Maltzan, June 29, 1775, *ibid.*, 173.

³ De Maltzan to Frederick, May 21, 1776.

⁴ Frederick to de Maltzan, June 3, 1776, Circourt, III. 195.

⁵ Frederick to de Maltzan, July 1, 1776, *ibid.*, 196.

⁶ Deane to the Committee of Secret Correspondence, Oct. 1, Dec. 3, 1776; Carmichael to the same, Nov. 2, 1776: in Sparks and Wharton; Barnier to Eden, Dec. 14, 21, 1776.

⁷ Schulenburg to Frederick, November 30 and December 2, 1776; Frederick to Goltz, December 2, 1776.

⁸ Circourt, III. 6.

Concerning the proposals made in this letter Frederick wrote from Potsdam to Baron Schulenburg, his minister of state, expressing to him the opinion that since Prussia was without a navy to protect such a commerce, it would be necessary to make use of a foreign flag. But he added:

However, in spite of these considerations, I do not wish to disoblige nor to offend the colonies by a complete refusal of the propositions of their plenipotentiary commissioners at Paris, and it appears to me to be more expedient for you by a civil answer to attempt to keep them in the friendly disposition they appear to entertain towards us. . . In this way the above-mentioned colonies will not be offended, and we shall have the means of entering into negotiations with them should circumstances become more favorable. Then our Silesian linens, our woollens, and other manufactured articles can find a new market. . . All that I recommend to you, then, is to put nothing into your answer to the said plenipotentiaries that can displease or offend their employers, but explain your position toward their offer as favorably as possible, so that the moment events become more propitious there we may be able to take advantage of it.¹

From this and other extracts already quoted it is easy to see that Frederick's policy was, outwardly at least, to maintain a strict neutrality; for, although he was quite willing to see England humiliated, his interests dictated that he should not become embroiled in a war with her. In pursuance of this policy it was impossible for him to fall in with the proposals of the colonists, yet at the same time he wished to avoid offending them, for he hoped thereby to keep a way for opening a profitable commerce with them in case they should prove successful.

On March 15 Schulenburg wrote to the commissioners and stated something of Frederick's position. On the nineteenth of the following month the commissioners again wrote a letter in which they informed Schulenburg that an accredited minister would be sent to Berlin "properly empowered to treat upon affairs of importance", and that in order to hasten the establishment of a commerce, one of their own number would shortly visit the Prussian court. The plan did not meet the approval of Frederick, so he wrote to Schulenburg that the colonies were "in too much of a hurry with their propositions for a formal negotiation", and restated the position he had taken in his letter of March 12.² Schulenburg, therefore, wrote to Arthur Lee, the commissioner chosen to undertake the mission,³ in order to discourage him from coming to Berlin.⁴ But since Lee journeyed by way of Vienna, it would seem, that the letter

¹ Frederick to Schulenburg, March 12, 1777. See also Kapp, 22-23.

² Frederick to Schulenburg, May 6, 1777, Circourt, III. 89.

³ Arthur Lee to Schulenburg, May 8, 1777, in Sparks and Wharton.

⁴ Schulenburg to Arthur Lee, May 20, 1777, in Sparks and Wharton.

did not reach him until after his departure from Paris, and perhaps not until his arrival at Berlin.

When Lee reached Berlin, he announced his presence there in a short note to Schulenburg.¹ Two days later he wrote a longer letter in which he discussed the advantages that would result from commercial relations, and also said, "If I had known His Majesty's pleasure before my departure, I should have acted in conformity with it. And if my residence here should give the least uneasiness to your court, I rely upon your excellency's informing me of it." Schulenburg replied that his residence at Berlin would not be at all disagreeable to the king, provided Lee lived as an individual and without assuming a public character. In the same letter he asked for "a memorandum of places where insurance can be effected on vessels destined for America, and the premium of insurance to be paid."² Next day Lee sent the desired information, and added that if the powers of Europe would but open their ports to American war vessels, the problem of commerce would be solved, for then convoys could be fitted out to protect the vessels engaged in it.³ Schulenburg admitted that a commerce between the two countries would probably be profitable, but said that on account of the scantiness of the Prussian merchant marine an effort would have to be made to get the owners of vessels in Holland and Hamburg to carry the goods.⁴ Of course Lee was very far from being content with this answer, for he realized that such a commerce would be of very little importance, and his great aim was to get the Prussian king to commit himself on the side of the Americans. Accordingly, he informed Schulenburg that since the American merchant vessels were also privateers, the only possible way to establish a commerce "hither in the commodities and vessels of the States" would be to open the Prussian ports to the privateers.⁵ Schulenburg replied, however, that while the king was well disposed towards the Americans, he could not afford to embroil himself with the court of London. "Moreover," said he, "our ports have hitherto received only merchant vessels, and no ships of war nor privateers have ever entered there, so that the officers stationed at our ports would be embarrassed how to conduct themselves on such an occasion." Before a final answer could be given, it would be necessary to ascertain the attitude taken by France and Spain concerning the reception of privateers.⁶

¹ A. Lee to Schulenburg, June 5, 1777, in Sparks and Wharton.

² Schulenburg to A. Lee, June 9, 1777, in Sparks and Wharton.

³ A. Lee to Schulenburg, June 10, 1777, in Sparks and Wharton.

⁴ Schulenburg to A. Lee, June 18, 1777, in Sparks and Wharton.

⁵ A. Lee to Schulenburg, June 20, 1777, in Sparks and Wharton.

⁶ Schulenburg to A. Lee, June 26, 1777, in Sparks and Wharton.

In these negotiations Schulenburg was but the mouthpiece of his master, and from the latter's instructions to the minister and from his other correspondence it is not difficult to determine Frederick's attitude. On June 23 he had written from Potsdam to Schulenburg in Berlin, "It is necessary to continue the same tone with him and to tell him that although I am well disposed toward his constituents, he will himself feel that they ought not to expect that in order to favor them I should embroil myself with England."¹ Frederick was, in fact, playing a waiting game. To his brother, Prince Henry, he had written about a week earlier, "I purpose to draw out this negotiation in order to fall in with the side for which Fortune shall declare herself." In a similar strain he had written to Baron Goltz, his minister to France: "As to the deputies of the Congress, I still hesitate as to the course to take toward them. It is necessary to await the turn in their affairs."² To de Maltzan at London he wrote, "There has arrived at my court a deputy of the colonies to propose to me a commercial treaty; but as their independence is not yet decided, you will readily see that I have not wished to enter into negotiations with him."³ At that time, with the outcome of the expeditions of Howe and Burgoyne uncertain, the prospects of the colonies were not very bright, and consequently Frederick was more than usually unwilling to do in their behalf anything that would bring upon him the resentment of England. At the same time; however, he wished to avoid offending the colonies, for he foresaw that the time might come when it would be desirable to have a way open for a commercial connection. Because of his dislike for England he naturally inclined to wish that the colonies would prove successful; but, as he many times wrote, the whole matter was really indifferent to him.

The negotiations were now complicated by an extraordinary episode. The English minister, Hugh Elliot, a man whom Finckenstein characterized as "very young and very rash",⁴ had naturally taken great interest in the presence of Lee in Berlin. As a result of this interest a servant of the English embassy entered Lee's lodgings, broke open his desk, and stole his papers. By some writers it has been asserted that the English minister directly instigated this remarkable robbery, and Bancroft states that the robber was hired for 1,000 guineas.⁵ Such may have been the case. Years afterward, however, Elliot assured John Quincy Adams upon his word of honor that the servant acted without express orders and merely out of the

¹ Circourt, III. 95.

² Frederick to Goltz, June 7, 1777, *ibid.*, 92.

³ Frederick to de Maltzan, June 23, 1777, *ibid.*, 94.

⁴ Finckenstein to Schulenburg, June 28, 1777.

⁵ Bancroft, IX. 174 (original edition; 1866).

knowledge that Elliot was curious to know what headway Lee was making in his negotiations.¹ However this may have been, there is no question that, the papers once obtained, Elliot was not above looking them over. Copies of them were taken, after which the originals were left on Lee's staircase, while the servant was spirited out of the kingdom.²

The theft caused much comment at Berlin, and made Frederick very angry, but he took no violent action against the English minister. His attitude in the matter is revealed in the following extract from a letter to de Maltzan:

But I must tell you of an act of singular daring and recklessness on the part of Chevalier Elliot. That minister took the liberty, through one of his domestics, of abstracting the portfolio of Lee, the American, from his desk in the *auberge de Corsica*, in Berlin; and the theft having made a noise, he not only brought back the portfolio to the American, but, moreover, came himself to avow the theft to my minister, with all the circumstances that accompanied it, making various poor excuses for the part he took in it. It is properly what is called a public theft; and if I had wished to make him feel the resentment which the law of nations authorizes, and which he richly deserved, I would immediately have forbidden him the court. But having himself told his fault, and having submitted his person and his sentence to my discretion and generosity, I did not wish to push things to an extreme, and confined myself to notifying him through my ministers of the impropriety and lawlessness of his conduct.

Such, in fine, is the minister whom the court where you are has chosen to reside at mine, and you can judge very well what would have been the sensation created by a similar performance there, and how the chevalier Elliot would have been regarded. It is in the school of Bute that such scholars are found.

[In the handwriting of Frederick.] Oh! the worthy pupil of Bute! Oh! *l'homme incomparable que votre Gott Damme Elliot!* In truth, the English ought to blush with shame at sending such ministers to foreign courts.³

The British government made haste to disavow the action of its minister, both through that minister himself and also through de Maltzan, and Frederick was told that he was at liberty to signify a desire for Elliot's recall.⁴ But the king was not desirous of further straining his relations with England, so he gave to Hertzberg

¹ J. Q. Adams, *Letters on Silesia*, London, 1804, 257-258.

² For accounts of the theft see Lee to the Commissioners, June 28, 1777, and to the Committee of Foreign Affairs, July 28, 1777; Frederick to de Maltzan, June 30, 1777, Circourt, III, 211; Hertzberg to Frederick, June 28, 1777; and other letters. A portion of this correspondence is given by Sparks and Wharton. Carlyle's *Frederick*, VI. 343-345, contains a not very accurate account of the affair. See also the *North American Review* for April, 1830.

³ Frederick to de Maltzan, June 30, 1777, Circourt, III. 211; in Sparks and Wharton.

⁴ Hertzberg to Frederick, June 28, June 30, August 11, and August 26, 1777; de Maltzan to Frederick, August 1, 1777; etc.

the following directions: "I do not wish a noise to be made over this affair, and you have only to say to him that out of consideration for the king of England and of his own youth we will pass over the matter in silence."¹ To Lee, the man who had suffered from the theft, but little satisfaction was given,² except what might be gained from receiving a copy of the magistracy proceedings, which had been begun before the real nature of the theft had become known. This copy he desired for use in proving to his associates his own fidelity and loyalty.³ It would, however, be a mistake to infer from this lack of action on the part of Frederick any unfriendliness towards the colonies. Frederick was but following his policy of keeping out of the struggle. The theft aroused his anger, but he did not feel that it was wise to punish it; for, while the resentment of the colonies was not a thing to be feared, that of England was.

Shortly afterward Lee quitted Berlin for Paris, but not before he had received a definite answer upon the points in the negotiation. Schulenburg informed him that the propositions were not acceptable, as they put the affairs of the king in jeopardy without giving the hope of any very solid advantages.⁴ Thus closed this effort to obtain the assistance of Prussia.

The later negotiations were carried on entirely by correspondence. Lee had obtained permission to keep the Prussian court informed of the progress of the war, and in the next few weeks he took advantage of the permission to write two letters urging that the Prussian ports be opened to American vessels.⁵ On receiving the second letter Schulenburg transmitted a translation of it to Frederick with a request for instructions.⁶ Frederick's reply possesses such significance that it should never be lost sight of by any one seeking to unravel the king's policy, and all the later correspondence of the Prussian court with the American agent should be scanned in the light of it. Upon the margin of Schulenburg's letter Frederick wrote, "*Mit Complimenten abweisen*", that is, "Put him off with compliments."

Lee's next request was for information concerning the probability that the English would in the following year be able to draw

¹ Frederick to Hertzberg on Hertzberg's letter of August 11, 1777.

² A. Lee to Frederick, July 1, 1777; Frederick to A. Lee, July 2, 1777, both in Sparks and Wharton. See also Schulenburg to Frederick, July 3, 1777.

³ Schulenburg to Frederick, July 6, 1777.

⁴ Schulenburg to Frederick, July 6, 1777; Lee to Committee of Foreign Affairs, July 29, 1777, in Sparks and Wharton.

⁵ A. Lee to Schulenburg, August 13 and September 21, 1777, in Sparks and Wharton.

⁶ Schulenburg to Frederick, October 6, 1777.

more recruits from Germany, Russia, or Denmark.¹ Schulenburg referred Lee's request to Frederick, and upon Schulenburg's letter the king wrote, "none from Russia, none from Denmark, but some men from Anspach, and from the prince of Hesse."² In consenting that Schulenburg should give this information Frederick showed himself in perhaps the most friendly attitude toward the colonies in which he had yet appeared.

About the same time Frederick refused to allow the passage of the mercenary troops from Baireuth, Anspach, and Cassel across his dominions,³ and some writers have seen in this action another evidence of his friendship for America. His correspondence and other writings do not bear out this theory. To his minister to England he wrote that he refused their passage because of certain mutinies that had taken place among the mercenaries the year before while they were on their way to embark.⁴ A passage already quoted from his *Memoirs after the Peace* shows that the refusal gave him some pleasure because it disobliged England. In the same work he states that he refused because he did not like to see Germany denuded of troops.⁵ Furthermore, he was doubtless disgusted by the sight of Germans being sold like cattle, and wished to discourage the practice. In refusing passage to the mercenaries he does not, however, seem to have thought, as some writers have asserted, that he was thereby bestowing belligerent rights upon the colonies, for, as will later be seen, he for a time withdrew the prohibition.

Frederick continued steadfast in the determination not to enter into formal diplomatic relations with the colonies until he was able to see on which side Fortune would declare herself. On November 17, 1777, Arthur Lee wrote to Schulenburg stating that Congress had appointed his brother, William Lee, commissioner to the Prussian court with powers to negotiate a treaty of amity and commerce, and requesting to be informed as to whether it was the king's pleasure that his brother should come to Berlin. But Schulenburg replied that the king "cannot possibly conjecture, as circumstances have not changed, what propositions Mr. Lee can make more acceptable to His Majesty, nor consequently what can be the object of his mission."⁶

On the fourth of the following month Arthur Lee wrote to Schulenburg confirming the glorious news of the surrender of

¹ A. Lee to Schulenburg, October 23, 1777, in Sparks and Wharton.

² Schulenburg to Frederick, November 4, 1777, Circourt, III. 116.

³ Frederick to Goltz, November 10, 1777, *ibid.*, 116; Elliot to Suffolk, November 8, 11, and 16, 1777, *ibid.*, 8, 9.

⁴ Frederick to de Maltzan, November 17 and 28, 1777.

⁵ *Works*, IV. 178.

⁶ Schulenburg to A. Lee, November 28, 1777, in Sparks and Wharton.

Burgoyne. Schulenburg transmitted the letter to Frederick at Potsdam,¹ and the king received the news with great satisfaction. Upon the letter he wrote: "This is very good, but it is necessary to tell him that I expect (*s'attens*) to recognize the independence of the Americans when France shall have set the example." Accordingly, Schulenburg wrote to Lee: "I am much pleased, sir, with these favorable events. . . . I can assure you, sir, that His Majesty will not be the last power to recognize the independence of the Americans, but you will yourself feel that it is not natural that he should be the first, and that at least France, whose political and commercial interests are more immediately connected with yours, should set the example."² Six weeks later Schulenburg again wrote to Lee in the same favorable strain. "His Majesty wishes that your generous efforts may be crowned with complete success; and, as I have already advised you, in my letter of December 18, he will not hesitate to acknowledge your independence whenever France, which is more interested in the event of this contest, shall set the example." He added that the Americans were at liberty to purchase arms in Prussia and that the "bankers Splittgerber, contractors for the manufacture of arms, have received directions to deliver such as you may demand."³

Taking advantage of this permission, Arthur Lee soon afterwards purchased of Messrs. Splittgerber eight hundred fusils of a kind that Schulenburg had recommended as being cheap but serviceable. Later he discovered that the guns were "of the worst and most ordinary workmanship"; they were old worn-out muskets such as even the American militia would reject. Towards the close of 1778 Lee demanded of Schulenburg that Messrs. Splittgerber be compelled to do him justice⁴; but Schulenburg replied that the matter was one which must be left to the courts, and ironically added that Lee, as a good republican, ought to be aware that the Prussian king had no despotic power to force the righting of private breaches of contract.⁵ Thus the result of the permission to purchase arms in Prussia was far from being advantageous to the Americans.

Frederick's motives for expressing his intention of recognizing the Americans when France should have set the example will probably never be determined. He may have thought that Fortune had at last declared herself against England and that the end of the

¹ Schulenburg to Frederick, December 15, 1777, Circourt, III. 125.

² Schulenburg to A. Lee, December 18, 1777, in Sparks and Wharton.

³ Schulenburg to A. Lee, January 16, 1778, in Sparks and Wharton; partly given in Circourt, III. 131.

⁴ A. Lee to Schulenburg, October 21, 1778, in Sparks and Wharton.

⁵ Schulenburg to A. Lee, December 1, 1778.

war was close at hand. Perhaps, with Machiavellian craftiness, he expected that the contents of his letter to Lee would be communicated to the French ministry and would influence them to declare for the Americans and thus become embroiled with England. Whatever his motives may have been, it is unlikely, in view of the obstinate determination of the English to continue the war, that he would have hazarded following France. Just what his action would have been under the conditions then existing on the continent will never be known, for an unexpected event occurred which soon resulted in complications that required all his attention. On December 30, 1777, died Max Joseph, elector of Bavaria. Immediately the ambitious young Emperor Joseph II. proceeded to lay claim to the dead prince's domains and to back up his claims by force of arms. The aged Frederick, feeble though he was and averse to war, felt it necessary to oppose this aggression on the part of Austria and ultimately to wage the short and comparatively bloodless Bavarian War.¹ In consequence, he had little time to think of the struggle in far-off America, and was obliged to be doubly cautious not to become engaged in hostilities with a power which held Hanover and which was on friendly terms with many of the German princes whose support he craved.

It was not long before Frederick was pointing out that he now had no time to think of the war in America. "But the fermentation of affairs in Germany", he wrote March 12 to de Maltzan, "makes me forget that of England with her colonies." He expressed himself in much the same terms when the Americans again pressed their negotiations. When William Lee, after the alliance with France had been consummated, wrote to say that he was hopeful that His Majesty would think it good for him to repair to Berlin, he met with the response² that the king was too much occupied with Germany to think of America, and that while he would, were circumstances favorable, willingly recognize American independence, such action would at that juncture be of no advantage to America and prejudicial to Prussia.

Later in the same month the king again instructed Schulenburg to refuse to enter into a commercial connection with the Americans and to advise them to cultivate relations with maritime states.³ Thus the king's promise to recognize the colonies when France should set the example was not fulfilled.

¹ *Works*, IV. 205-271.

² The answer written on the margin of a letter from Schulenburg to Frederick, March 30, 1778.

³ On Schulenburg's letter to Frederick, March 30, 1778.

So much embarrassed, in fact, did Frederick find himself as a result of the emperor's ambitious designs upon Bavaria that on March 16, 1778, he wrote to de Maltzan in order to inquire whether there was any probability that England would be willing to furnish Hanoverian troops to defend the Germanic Constitution against the emperor's encroachments. In asking for this information he cautioned his minister against letting the English government suspect that he wished to learn anything upon the subject; nevertheless, the letter is certainly in a different strain from one written four years earlier in which the king had said that it was as likely that a good Christian should league himself with the devil as he with England. As it happened, nothing of importance ever came of the inquiry; but Frederick did at times show a somewhat more obliging spirit toward England, and at various times granted permission, at the request of Elliot, for the passage of German mercenaries across his dominions.¹

At times Frederick seems to have grown tired of the persistency of the American agent. Thus, on July 30, 1778, he ordered Schulenburg to write to the agent once more "what I have already ten times said." Again, in the following December we find Schulenburg transmitting to Finckenstein, who was with the king at Breslau, a letter from William Lee, and explaining his reason for doing so as follows: "This letter embarrasses me, particularly because the king, when I presented to His Majesty in the summer another from the agent, seemed to me to be a little disgusted at his returning so often to the charge."² Finckenstein must have shown Lee's letter to Frederick, for on the nineteenth of the same month Frederick wrote to Schulenburg that the American proposed nothing new and that the same answer should be given to him as hitherto.

Even after the close of the short Bavarian War the Prussian king continued without material change the attitude that he had adopted at the beginning of that struggle. What was the only approach, in the remotest degree, to a concession will appear from the following extract from a letter written by Schulenburg to William Lee on January 2, 1779: "I have the honor to tell you, sir, that the ports of His Majesty are open to all nations who come there to trade in goods the importation of which is not forbidden in his states, so that the merchants from America will have no need of express permission in order to enter freely and be well received in the port of Emden or such other as they may choose." He said, however,

¹ Frederick to de Maltzan, February 15, 1780; Elliot to Suffolk, February 28, 1778, and January 7, 1779.

² Schulenburg to Finckenstein, December 8, 1778.

that the king would not protect the commerce of one nation against another, nor shelter in his ports prizes taken by another power. In commenting upon the matter a week later Frederick told Schulenburg that if the Americans wished to come into Emden, it was well and good, but that he could not promise to protect them, and that a perfect neutrality must more than ever be preserved.

Following up the slight encouragement given by Schulenburg, William Lee asked for "an express convention or at least for a positive declaration from His Majesty that he comprehends the United States in the number of nations" who might enter and trade in the Prussian ports.¹ But Schulenburg was not to be thus drawn into what would have constituted a formal recognition of the colonies; he merely replied that further assurances appeared to him to be superfluous and unnecessary.²

From this time onward the relations of the two powers continued without material change until the close of the Revolution. The independence of the colonies was not recognized by Frederick until after it had been recognized by England herself, and it was not until June of 1783 that Baron Goltz at Paris made overtures to Franklin for a commercial agreement between the two countries.³

From the evidence that has been advanced it is clear that the colonies gained but slight advantage from their direct negotiations with the Prussian monarch. At the same time it is unquestionably true that his course in the European politics of the period was, because of coincident interests, of considerable benefit to the struggling patriots across the Atlantic. This was true of Frederick's relations with France. About the time the Revolution broke out conditions were such in Europe that he deemed it desirable to cultivate the friendship of that power. In the ambitious projects of Joseph II. the Prussian king saw a grave menace to the peace of the continent and to the interests of his own kingdom.⁴ At the moment Frederick found himself without any other ally than Russia, and there was "reason to fear", he thought, "that a new war in the Crimea might prevent the empress of Russia from furnishing the king with that aid which she was by treaty obliged to furnish".⁵ Frederick, therefore, deemed it wise to seek an alliance with France. But in the attempt he had a rival. Joseph, too, courted that power and wished to continue the alliance that existed during the Seven Years' War. In accomplishing this end he counted much upon the

¹ W. Lee to Schulenburg, January 30, 1779.

² Schulenburg to W. Lee, February 17, 1779.

³ Goltz to Frederick, June 20, 1783.

⁴ *Works*, IV. 191 *et seq.*

⁵ *Ibid.*, IV. 198.

aid of the French queen, his sister Marie Antoinette. Against him, however, was the old French feeling of hostility to the House of Hapsburg and the knowledge that the previous alliance had been productive of much disaster.

The situation was rendered much more complicated by the war in America. The natural enemy of France was England, and it was almost inevitable that France should seize upon so favorable an opportunity in order to take revenge for the losses inflicted upon her in the previous war. This the far-sighted Frederick early foresaw, and, although he foresaw also the ruinous effects of a new war upon enfeebled France, his desire to see England humbled and his anxiety that France should find occupation outside of Germany led him to encourage the French court to enter the struggle.¹

The diplomatic contest resulted in Frederick's favor. Although Joseph even visited Paris in pursuance of his object, he found the French king and ministry disinclined to listen to his proposals, while the influence of his sister was too slight to bring to pass what he had at heart.² Later the French showed themselves friendly to Frederick, and through a French agent, sent to him under pretext of attending the midsummer reviews of 1777 at Magdeburg, the Prussian monarch succeeded in arriving at an understanding with the French court upon the question of the foreign policy of the two powers.³ Thereafter Frederick continued to encourage France in her desire to humble England and to assure her of his neutrality in case of a struggle.⁴

That these representations were influential in leading the court of France to take up the American cause is not to be doubted. Had Frederick's influence been thrown instead in favor of England, it is quite conceivable that the treaty of 1778 might never have been made. Thus by his attitude the Prussian king rendered consider-

¹ Frederick to de Maltzan, September 28, 1776; to Goltz, April 23, June 11, June 29, October 3, November 14, December 9, 1776, and January 2, 1777, etc.; Circourt, 68, 71, 73. Circourt gives the letter of April 23 incorrectly as April 25.

² Frederick to Goltz, January 2, 1777; *Works*, IV. 189-201.

³ Frederick to Goltz, May 8, June 1, June 7, June 11, 1777; Goltz to Frederick, June 26, 1777; cf. Circourt, III. 90, 92, 93, 95.

⁴ "No, certainly," he wrote to Baron Goltz on July 31, 1777, for the information of France, "we have no jealousy of the aggrandizement of France. We even pray for her success provided her armies are not found near Wesel or Halberstadt." "You can assure M. de Maurepas", he instructed the same minister in the following August, "that I have no connection whatever with England, nor do I grudge to France any advantages she may gain by war with the colonies." "The independence of the colonies will be worth to France all that the war will cost"; "I wager a hundred to one that in case a rupture between the two crowns should break out next year, France could promise herself some great advantages", are two sentences taken from among dozens of similar ones contained in letters written by him to Goltz during the next few months (see Circourt, III. 98-128).

able service to the colonies. But it should be borne in mind that nowhere is there any evidence to show that the favorable influence he exerted sprang out of a love for the struggling patriots across the Atlantic.

In Russia also Frederick secretly opposed the English, and as he was in alliance with the Empress Catharine, his influence was considerable. While he seems to have had no direct connection with the refusal of the empress in 1776 to furnish troops to England, his advice in the years that followed was no small factor in determining her policy.¹ At the Russian court there were two rival parties, headed respectively by Count Panin, who was minister of foreign affairs, and Prince Potemkin; Panin was very friendly to Frederick and was opposed to England, while Potemkin, who wished to discredit his rival, came in time, through the efforts of the English minister, to lean toward the side of England. In matters of foreign affairs, however, the empress generally followed the advice of Panin, and hence the wishes of Frederick had great weight. The English were well aware that Frederick's influence was being cast against them, but were unable to do anything to counteract it, for on the subject of the desirability of allowing England to be humbled Panin and the Prussian king were in complete accord.²

One of the things that Frederick's influence brought about which was contrary to English interests was a more friendly feeling between the courts of Russia and of France,³ but his greatest triumph in this direction was in connection with the formation of the Armed Neutrality. In the early months of 1780 the Russian vessel *Concordia* was seized by the Spaniards, who were now at war with England, and was carried into Cadiz. Angered by this insult to her flag, the empress caused a memorial to be drawn up and presented to the Spanish minister. This had hardly been done before news arrived at St. Petersburg of the seizure of a second vessel. Thereupon the empress, without consulting Panin, ordered her navy to be prepared for active service and adopted measures for the protection of her commerce against the belligerents.⁴ The moment was a most critical one. Prince Potemkin professed to Harris the belief that at last a great triumph had been gained for England.⁵ But when Panin was informed of what the empress had done, he quickly

¹ Bancroft, V. 97 (ed. 1878).

² Harris to Suffolk, February 2, 6, 10, and 24, 1778; to Sir J. Yorke, February 13, 1778; to Weymouth, June 4, 25, August 18, September 20, 1779, February 26, 1780; to Eden, June 29, 1779; and numerous other letters in *Malmesbury Diaries and Correspondence*, 1844. Frederick to Solms, August 14, 1779, Circourt, III. 225; Goertz to Frederick, September 24, 1779, *ibid.*, 227.

³ *Works*, IV. 201.

⁴ Goertz to Frederick, February 29 and March 3, 1780, Circourt, III. 235, 238.

⁵ Harris to Stormont, February 26, 1780, in *Malmesbury Diaries and Correspondence*.

evolved an adroit plan to turn her action to the disadvantage of the English. This plan he confided to Goertz, and on February 29, 1780, Goertz wrote to Frederick:

All will now depend upon the reply the Spanish court makes to the remonstrances. If it gives a satisfactory one, as they have a right to expect, then I agree with Count Panin in thinking that this new intrigue will result to the disadvantage of the one who contrived it and of his court. If unhappily the court of Spain persists in its false measures, the worst is to be feared. . . . Your Majesty will be best able to enlighten her in the matter, and having already proved your impartiality, you have a right at so important a moment to speak with frankness.¹

Upon receipt of this intelligence Frederick saw the importance of action. On March 14 he sent to his minister at Paris instructions to "demand a particular audience of the ministry at Versailles", and to use every endeavor to induce them to impress upon the Spanish court "the absolute necessity of satisfying Russia without the slightest delay on an article where the honor of her flag is so greatly interested."² The French minister, Vergennes, read Frederick's letter, and despatched a copy of it to the French representative at Madrid with orders to use all his influence to get Spain to apologize.³ The Spanish court saw the wisdom of such a course and followed it. A satisfactory answer was given to Russia, and a possible war was thereby averted.⁴

Later both France and Spain, partly because of advice given by Frederick, acquiesced in the new maritime code that the empress had promulgated on March 8, 1780.⁵ Thus, through the adroit management of Panin and the assistance rendered by Frederick, a declaration that the English minister had hoped would result in an armed conflict between Russia and the family of the Bourbons became in the end a measure wholly opposed to the interests of England. By the part he played in bringing about this result—comparatively unimportant as the Armed Neutrality really proved—Frederick unquestionably contributed indirectly to the success of the colonies.

It was, in fact, in ways such as these that whatever assistance the colonies received from Frederick was chiefly rendered. The direct assistance he gave them was certainly very slight. He did not recognize their independence until it had been recognized by England herself. His commercial concessions were of little real value; his permission to purchase arms in his dominions resulted, though

¹ *Ibid.*, 237-238.

² *Ibid.*, 241.

³ Vergennes to Montmorin, March 27, 1780.

⁴ Goertz to Frederick, May 2, 1780.

⁵ Goertz to Frederick, March 10, Circourt, III, 240, May 2, 1780, and other letters.

through no fault of his own, in a disastrous bargain for the Americans. He gave a little good advice and a small amount of information, but, on the whole, what he did directly was really very trivial. On the other hand, the indirect aid which he rendered as a result of coincident interests was more important. Had he been a friend to England instead of being secretly in opposition to her, it is quite conceivable that the course of history might have been materially changed. The relations between Russia and England might have been different. Certainly France would have hesitated longer. Probably the minor German states would have furnished England with more mercenaries. But "what might have been" is speculation pure and simple.

Less difficult to determine are the motives that moved Frederick in his policy toward the colonies. As has already been pointed out, he hated England with great intensity, yet at the same time he saw clearly that the interests of his kingdom demanded that he should not become her open enemy. In consequence, he carried his hostility just far enough not to embroil him in a war with England. He would not recognize the colonies because that would have taken him over the danger line. At times he even performed friendly acts and exercised great forbearance in order to prevent his relations with England from becoming too strained; instances are his leniency toward Elliot in the matter of the theft of Lee's papers, and his giving permission for the mercenaries to cross his dominions. On the other hand, as a result of his hatred for England, it was psychologically natural that he should feel well-disposed toward the colonies. But it would be easy to overestimate this feeling of friendship. Nowhere is there any evidence to show that he had a very deep interest in the colonies for their own sake. Unquestionably he wished them success, but all expressions of friendship made by him or his ministers should be scrutinized in the light of his avowed intention to procrastinate in the negotiations and of his instruction to Schulenburg, "Mit Complimenten abweisen." Frederick was, indeed, very much interested in the contest; of this the hundreds of letters in which he mentioned the subject are proof conclusive. But the reader of these letters can see with half an eye that it is in the effect of the war upon England and upon the politics of Europe that he was chiefly interested, not in its effects upon the colonies. At one time a story was widely current, and it is still believed by many, to the effect that he entertained a great admiration for Washington, and that he even went so far as to send him a sword upon which was inscribed, "From the oldest general in the world to the greatest." This is one of those many historical myths that have been eagerly accepted by

a willing and credulous public, and it has been completely exploded.¹ Furthermore, as Bancroft admits, there is nowhere in Frederick's correspondence any trace of a personal interest in Washington.² Much the same may be affirmed of his interest in the colonies. His rather friendly attitude toward them was due chiefly to his hatred for England and to his desire to keep a way open for commercial relations with the new power in case it should sustain its independence. There is little or no evidence to prove that sentiment was a factor in determining his policy.

PAUL LELAND HAWORTH.

¹ See an article by Moncure D. Conway in *The Century Magazine*, XIX. 945.

² Preface to Vol. X. (original edition, 1874).

COMPROMISES OF THE CONSTITUTION

WHEN the question of adopting the Federal Constitution was being considered in the Pennsylvania state convention, James Wilson, who had taken an important part in the framing of that instrument, stated that the gentlemen of the opposition did not appear to appreciate, even in the most difficult part of the plan, the difficulties that had been experienced by the Federal Convention.¹ Inasmuch as the Constitution came forth as the practically unanimous product of the Federal Convention's labors, and the proceedings of that body were secret, it is not surprising that the men of that time should have failed to comprehend the difficulties that had been encountered. Since the publication of the records of the Convention, however, it is somewhat remarkable that those who have attempted to describe the framing of our Constitution should continue under similar if not the same misapprehensions of which Wilson complained in 1787. In nothing is this more clearly shown than in the treatment of the compromises that were such an essential feature of the Convention's work. Not only have some of the most important compromises been completely overlooked, but others have been greatly misrepresented, and in consequence the final outcome of the Convention's proceedings, as well as those proceedings themselves, have been sadly distorted.

The only explanation that appears plausible as to this misinterpretation of perfectly accessible facts is that the great source of our information as to what actually took place in the Federal Convention, the *Madison Papers*, first appeared in 1840.² This was just the time when the slavery question was becoming the all-absorbing topic in our national life, and it was but natural that the men of that time should turn to the debates of the Convention to see what the framers of our Constitution had said and done upon the question that was then uppermost in the minds of all. It is possible that as "Compromise" was the shibboleth of the '40's and '50's, men instinctively tended to support their position by the action of

¹ Elliot's *Debates*, first edition, 1827-1830, III. 297.

² The writer is at present engaged in an attempt to examine all the more important works dealing with the formation of the Constitution, in order to determine, if possible, the origin and development of current misconceptions. That examination is only partially completed, but it has been carried far enough to render extremely probable the explanation that is here given.

the "Fathers" in 1787. Under these conditions it is not surprising that the historical writers of that time, in treating of the formation of the Constitution, should overemphasize the slavery questions in the Convention. Take, for example, Richard Hildreth's *History of the United States*. The third volume, which covers the period of the Revolution and the Confederation, appeared in 1849. Of the chapter that is devoted to the "Formation of the Federal Constitution", one-third is taken up with the slavery debates; and of the "three great compromises" that he notices two are slavery compromises. The second volume of G. T. Curtis's *History of the Constitution* was published in 1858. Although Curtis does not neglect, as Hildreth did, the other features of the Convention's work, and although he corrects Hildreth's misapprehension that the counting of three-fifths of the slaves was the essential feature of the compromise in which both representation and direct taxation were to be apportioned according to population, he distinctly exaggerates the importance of the slavery questions and he chooses the same three provisions as the "grand compromises of the Constitution."

Knowing how closely one writer is apt to follow the thought if not the words of another writer, especially if the earlier work is regarded as authoritative, it may be readily understood why practically all subsequent writers have followed the lead of two such men as Hildreth and Curtis. George Bancroft, it is true, does not lay himself open to this charge, and in his *History of the Constitution* (1882) has produced the most detailed and unprejudiced study of our subject that has yet appeared. But even Bancroft failed to appreciate the significance of the Federal Convention's action in at least two cases to which particular attention is to be given in this article—the admission of new states and the method of electing the president. That his general interpretation of the Convention's work is not more universally accepted is doubtless due to the difficulty of appreciating his point of view. Owing to the tediousness of his method and to his inability or unwillingness to summarize his conclusions, Bancroft's work is really difficult to comprehend. Consequently there are many who cite him as an authority, but apparently few who really follow him.¹

¹ An interesting illustration of this is to be found in the use of the term "Connecticut Compromise" for the agreement that was reached on the composition of the two houses of the legislature. Bancroft apparently adopted this designation because he believed, by a somewhat exaggerated interpretation of the part taken by them, that to the Connecticut delegates should be given the credit of getting this compromise adopted. Later writers have so generally accepted this appellation that its use has become almost universal, but the explanations as to why this compromise is so called are by no means harmonious. Perhaps Alexander Johnston's fanciful claim "that the birth of the Constitution was merely the grafting of the Connecticut system on the stock of the old Confed-

Is it not time to break away from the traditions that have been handed down to us from the days of the slavery struggle? One of those, the so-called "three-fifths compromise", ought certainly to be relegated to the myths of the past. That five slaves should count as three freemen had been incorporated in the revenue amendment of 1783 and had been accepted by eleven states before the Federal Convention ever met. When the Randolph resolutions were being considered in the Committee of the Whole, this same rule, avowedly taken from the proposed amendment to the Articles of Confederation, was adopted by a vote of nine to two.¹ It was also embodied in the New Jersey plan. To regard this as a compromise is altogether a misinterpretation. It was aptly described by Rufus King in the Massachusetts state convention when he said that "this rule . . . was adopted, because it was the language of all America."²

The other slavery compromise, upon the slave-trade and navigation acts, was a genuine compromise.³ It is quite misleading, however, to put it among the foremost questions of the Convention. The executive, judiciary, western states, control of militia, and a dozen other subjects, all ranked above it in importance. It cannot be too strongly emphasized that in 1787 the slavery question was not the important question, we might say it was not the moral question that it was in 1850. The South demanded concessions, but the North was ready to make them, especially if it could obtain some concessions in return.⁴ To magnify these questions to the exclusion or to the belittling of other interests is a complete misreading of history.

It has been customary to regard as compromises only such decisions as were reached in the Convention after sharp separation of parties along certain accepted lines of division, the appointment of a committee to devise some means of accommodation, and the adoption of their report or some other conciliatory measure requiring both

eration", and his altogether unwarranted statement that the terms of the compromise were "commonly cited as 'the Connecticut proposal'" (*Connecticut*, 322-325) have been of service. At any rate, the more generally accepted explanation of designating this compromise the Connecticut Compromise is to the effect that its principles were borrowed from that state, where was to be found popular representation in one branch of the legislature and local representation in the other — an explanation for which there appears to be no basis either in the records of the Convention or in the writings of Bancroft.

¹ Gilpin, *Papers of James Madison*, 842-843.

² Elliot, first edition, I. 56.

³ It may not be amiss to reiterate here the position that is taken by the more careful writers upon this subject, that the prohibition of export taxes formed no part of this compromise. Cf. Gilpin, 1388, 1396-1397, 1415; Curtis, II. 296, note, 302-304; Bancroft, II. 152, 158.

⁴ Compare Luther Martin's statement in "The Genuine Information laid before the Legislature of Maryland," in Yates, *Secret Proceedings*, 1821, 64.

sides to make more or less of a concession. It would not seem, however, to be an undue extension of the term, if under compromises we include cases in which the divisions were so sharp and the opinions so fixed as to force such a modification of certain provisions as would leave the clauses in question acceptable to both sides without antagonizing either, although no committees had to be appointed to accomplish these results. For example, in that part of the plan of government which provided for the organization of a federal judiciary, the provision that "Congress *may* . . . establish" inferior courts was phrased in this way to render it acceptable to those who favored the establishment of such courts, and to those who insisted that such tribunals would interfere with the rightful jurisdiction of the state courts.¹ Again, the provision that "all debts . . . shall be as valid against the United States as under the Confederation" was not modeled after the clause in the Articles of Confederation, as is so frequently stated; the wording is significantly different and was intended to reconcile the conflicting opinions of those who wanted the central government to assume the state debts, and of those who were opposed to such assumption.² But the most important of such modified clauses was that which provided for the admission of new states.

In colonial times, as population increased, in many instances so largely through the immigration of foreigners, and as settlement extended into the back country, the conservative moneyed interests of the coast, jealous of their power and fearful for their property, insisted upon retaining the control of government in their own hands and refused to grant to the interior counties the share in government to which their numbers of population entitled them. This was seen in its most obvious form in the inequality of representation in the legislature. Notably was this the case in Pennsylvania, Virginia, and the Carolinas.³ And this inequality was maintained in the state governments that were formed after the outbreak of the Revolution. When the question of representation in the national legislature was before the Federal Convention, the same interests demanded similar restrictions. Pennsylvania's method of dealing with the frontier counties was cited with approval.⁴ As it had worked well there for the older portions of the state to keep the power in their

¹ Gilpin, 798-800.

² *Ibid.*, 1356-1358, 1378-1379, 1402, 1424-1426. See statement by Bancroft, II 145.

³ See "Memorial of the Paxton Men", in Parkman's *Conspiracy of Pontiac*, Appendix E; Lincoln, *Revolutionary Movement in Pennsylvania*; Jefferson, *Notes on Virginia*; Bassett, "Regulators of North Carolina", in *A. H. A. Report*, 1894; and Schaper, "Sectionalism and Representation in South Carolina", *ibid.*, 1900.

⁴ Gilpin, 1072.

own hands, so now in the United States, it was insisted, new states ought not to be admitted on an equal footing with the old states.

Gouverneur Morris was the champion of the commercial and propertied interests, and when the compromise on representation was under discussion he declared in favor of considering property as well as the number of inhabitants in apportioning representatives. In explanation of his position he stated that he had in mind the "range of new States which would soon be formed in the West", and "he thought the rule of representation ought to be so fixed, as to secure to the Atlantic States a prevalence in the national councils."¹ A little later, on Morris's motion and evidently to phrase his views, a committee was appointed² and made a report,³ which was frankly declared to be intended to give to the Atlantic states the power of "dealing out the right of representation in safe proportions to the Western States."⁴ This portion of the report was at first adopted,⁵ but was afterwards disregarded when the compromise was reached by which it was agreed to apportion both representation and taxation according to numbers of population.⁶

It is generally assumed that the question was thus finally disposed of. But Morris was not so easily defeated. The Committee of Detail to draft a constitution included in the article for the admission of new states a provision that such new states should "be admitted on the same terms with the original states."⁷ Doubtless this provision was inserted because the committee so interpreted the action or sentiments of the Convention, or believed it warranted by them. When the article came up, in its turn, for consideration, Morris protested against this provision, and he made his objection on the same grounds as his previous opposition to representation in proportion to the numbers of population: "He did not wish to bind down the Legislature to admit Western States on the terms here stated. . . . [He] did not mean to discourage the growth of the Western country. . . . He did not wish, however, to throw the power into their hands."⁸ Such men as Madison, Mason, and Sher-

¹ *Ibid.*, 1033-1034.

² *Ibid.*, 1036, 1039.

³ *Ibid.*, 1051-1052.

⁴ *Ibid.*, 1052-1053.

⁵ *Ibid.*, 1053.

⁶ In the first stages of the discussion of the question of numbers of representatives, the conflicting interests of East and West were more important than those of slave and free states. Our later writers apparently fail to appreciate this fact, although it is clearly brought out by Hildreth, Curtis, and Bancroft.

⁷ *Journal of the Convention*, 1819, 228. Professor William A. Dunning, *Essays on Civil War and Reconstruction*, 310, interprets this as referring only to the new states arising within the boundaries of any of the old states. From the wording alone, the meaning is doubtful, but the debate in the Convention upon this clause does not support Professor Dunning's interpretation. See Gilpin, 1456-1457.

⁸ *Ibid.*, 1456-1457.

man opposed him,¹ but Morris succeeded in getting the objectionable clause stricken out, and then without a dissenting voice the Convention agreed to his substitute, "New States may be admitted by the Legislature into the Union",² or as it reads in the final draft, "New States may be admitted by the Congress into this Union."³

This phraseology is apparently so artless that it might well obtain the unanimous support of the Convention, but in view of its origin and authorship it acquires great significance. How great this is one hardly realizes until he reads Morris's own interpretation of the clause. Sixteen years later, at the time of the Louisiana purchase, in a letter to Henry W. Livingston,⁴ he wrote:

Your inquiry. . . is substantially whether the Congress can admit, as a new State, territory, which did not belong to the United States when the Constitution was made. In my opinion they cannot.

I always thought that, when we should acquire Canada and Louisiana it would be proper to govern them as provinces, and allow them no voice in our councils. In wording the third section of the fourth article, I went as far as circumstances would permit to establish the exclusion. Candor obliges me to add my belief, that, had it been more pointedly expressed, a strong opposition would have been made.⁵

Within the scope of this article it is not possible to discuss the whole "bundle of compromises" that make up the Constitution. If it were, it would be interesting to trace the fortunes of the clause that vests in the House of Representatives the right of originating money bills: how it was originally an exclusive right; how, in this form, it was sufficient to turn the scale in favor of the first great compromise⁶; how it served again in the same way in determining the compromise on the method of electing the president⁷; and how, when

¹ *Ibid.*, 1457.

² *Ibid.*, 1457-1458. The writer is indebted to Professor Frederick J. Turner, of the University of Wisconsin, for first calling his attention to the possible significance of the wording of this clause.

³ Constitution, Article IV., Section 3.

⁴ December 4, 1803, Sparks, *Life of Gouverneur Morris*, III. 192.

⁵ Mr. Justice Campbell in delivering his concurring opinion in the Dred Scott case (19 Howard, 507) cited this letter of Morris's, and it was also introduced in support of the Government's cause when the Insular Cases were argued recently before the Federal Supreme Court. It is interesting to note, however, that in the latter instance only so much of the letter was quoted as asserts the right to govern as provinces, without voice in the federal councils, territory not originally belonging to the United States. That part of the letter which denies the right of admitting such territory into the Union was significantly omitted; *Brief in the Insular Cases*, Washington, 1901, 164.

Bancroft, *History of the Constitution*, sixth edition, II. 163, omits this particular letter but cites others by the same hand in support of his surprising statement that Morris "gave his ancient fears to the winds", and proposed the clause in question, "with the full understanding and intention that an ordinary act of legislation should be sufficient by a bare majority to introduce foreign territory as a state into the union."

⁶ Gerry: "It was the corner stone of the accommodation"; Gilpin, 1098.

⁷ *Ibid.*, 1501, note.

its sphere of usefulness as a compromise-factor was ended, it was ruthlessly shorn of its virtues by granting to the Senate an unrestricted privilege of amendment, and then was finally allowed a place in the Constitution. The control of the militia, the restrictions upon appointment to office of members of Congress, the powers of Congress, the restrictions upon the states, and the jurisdiction of the federal courts are some of the subjects that would repay a more careful study than has been generally accorded to them. Partly to show the possibilities of such a study, but mainly because its inherent importance has been so generally disregarded and because of the failure to recognize that the final determination was as genuine a compromise as any that was reached in the Convention—of far greater importance than the so-called slavery compromises, the method of electing the executive has been chosen to illustrate the current misinterpretations of the work and the difficulties of the Federal Convention.

When Wilson, as already cited, complained "how little the difficulties appear to have been noticed by the honorable gentlemen in opposition", he had particular reference to the method of electing the president, and he went on to explain that "the convention were perplexed with no part of this plan, so much as with the mode of choosing the President of the United States." A few weeks previous in the Federal Convention itself and toward the close of its sessions, when this question came up for its final determination, Wilson had expressed himself still more positively, saying: "This subject has greatly divided the House, and will also divide the people out of doors. It is in truth the most difficult of all on which we have had to decide."¹ Madison, in the Virginia state convention, also called attention to the fact "that the organization of the general government was in all its parts very difficult", and that "there was a peculiar difficulty in that of the Executive."²

So natural does it seem to us to have a single person as the chief executive of our federal republic, and so accustomed have we become to the attributes and powers of his office, that it is hard for us to project ourselves into the time before such an office existed and to sympathize with the apprehensions of those men as to the dangers that might lurk under the deceptive title of president. The necessity of a strong executive was clearly recognized, and the members of the Convention were determined that such should be established, but when their determination had been carried out, many stood aghast at the extensive powers that were vested in this officer. In spite of

¹ September 4, *ibid.*, 1491.

² Elliot, first edition, II. 389.

all the checks and limitations that were placed, there was color for the assertion that a monarchy, in fact if not in name, had been created. The opponents of the system recurred to this again and again, and its defenders found it difficult to refute the charge. When, in our own day, we find it hard to agree upon a satisfactory definition of monarchy that excludes the president of a republic more powerful than many monarchs, it is not to be wondered at that, at the time of the formation of the Constitution, the supporters of the new order were at a loss to defend their contention that no monarchy had been established.¹ *The president was not a monarch*, but beyond that they could hardly go. In other words, when forced out of generalizations and held down to specific definitions, their best efforts resulted in explaining the presidency in negative terms of monarchy. As an illustration of this, take the note made by President Stiles of Baldwin's account of what had taken place in the Federal Convention:

As to a President, it appeared to be the Opin. of Convention, that he sh^d be a Character respectable by the Nations as well as by the foederal Empire. To this End that as much Power shd be given him as could be consistently with guard^e against all possibility of his ascending in a Tract of years or Ages to Despotism and absolute Monarchy:—of which all were cautious. Nor did it appear that any members in Convention had the least Idea of insidiously lay^g the Found^r of a future Monarchy like the European or Asiatic Monarchies either antient or modern. But were unanimously guarded and firm against every Thing of this ultimate Ten- dency. Accordingly they meant to give considerable Weight as Supreme Executive, but fixt him dependent on the States at large, and at all times impeachable.²

If, then, we recognize the importance attached to the executive office in the minds of the members of the Convention—that, as Randolph said, the people would “behold . . . in the President the form at least of a little monarch”³—it is easy for us to understand that the method of choosing the incumbent of that office should have occasioned the greatest difficulty in a body of such diverse interests and such divergent views, and would naturally occupy a great deal of its attention. On twenty-one different days this subject was brought up in the Convention. Over thirty distinct votes were taken upon different phases of the method of election.⁴ Five times they voted in favor of appointment by the national legislature, and once against it. Once they voted for a system of electors chosen by the

¹ Some said that the president was not a monarch because he was subject to impeachment, while others claimed that it was because he did not hold office for life or during good behavior.

² *Literary Diary of Ezra Stiles*, III. 294.

³ Gilpin, 1313-1314.

⁴ This does not include questions of term or eligibility.

state legislatures, and twice they voted against such a system. Three times they voted to reconsider the whole question. No wonder that Gerry should say, "We seem to be entirely at a loss."¹

In the earlier stages of the discussion the question turned upon whether the executive was to be, as Roger Sherman expressed it, "nothing more than an institution for carrying the will of the legislature into effect",² or was to be independent of and really a check upon the legislative body. As the conception of the new government developed, however, and the executive grew into an all-important feature, the conviction was established that the president must be independent of the legislature, and to accomplish this the favorite method seemed to be some form of an indirect popular election.³ But if the people were to choose, the large states would have a decided advantage, and hence there arose on this question also the old division between the large and the small states. The result was a compromise.

In order to understand the compromise that was made, it must be clearly appreciated that in adopting the electoral system the Convention acted on the assumption that in the great majority of cases—"nineteen times in twenty", Mason claimed⁴—the vote of the electors would not be decisive, that is, a majority of votes would not fall upon the same candidate. There were not wanting, it is true, members of the Convention who asserted that this would not be the case, but after Mason insisted that "Those who think there is no danger of there not being a majority for the same person in the first instance, ought to give up the point to those who think otherwise"⁵, it was tacitly conceded.⁶ With this understanding the terms of the compromise are perfectly clear. As the number of electors from each state was to equal the number of its senators and representatives, the large states, with their greater representation in Congress, would have a distinct advantage. To offset this, when no election resulted—as was assumed generally would be the case—from the highest five candidates a choice was to be made by that body which

¹ Gilpin, 1192.

² *Ibid.*, 763.

³ See statement by Gouverneur Morris in explanation of the report of the grand committee on September 4, *ibid.*, 1489-1490.

⁴ *Ibid.*, 1490. In the Virginia state convention he was still more emphatic: "not once out of fifty"; Elliot, first edition, II. 363.

⁵ Gilpin, 1499.

⁶ Several times and by decisive votes the Convention refused to allow a smaller number than a majority of the electors to determine the choice. It is quite possible that here, as in so many other questions before the Convention, the large states or national party accomplished their purpose under a veil of concession. It was not for them to dispute the improbability of an election's resulting in the first instance. If they had the advantage in the choosing of electors, it was certainly still more to their benefit if, contrary to expectations, the electors were able to determine the result.

was equally representative of all the states, and in which it was conceded the small states would have an advantage, the Senate. In other words, and it was so explained again and again, under this system the large states would nominate the candidates, and the "eventual election" would be controlled by the small states.¹ Owing to the many objections that the giving of this, in addition to the extensive powers already vested in the Senate, would render that body too powerful, the eventual election was transferred from the Senate to the House of Representatives, but the principle was maintained by providing that each state should have but one vote.²

Although generally overlooked by those who have written on this subject, there can be no doubt that the final determination of the method of electing the president was a genuine compromise.³ Gouverneur Morris,⁴ King,⁵ and Read⁶ referred to it as such in the Federal Convention, and in the Virginia state convention Madison declared in so many words, "Here is a compromise", and he explained how the large states and the small states were affected by it.⁷ Not only was it a compromise, it was the most successful of all the compromises. The importance of the subject and the conflicting opinions in the Convention rendered extremely probable the fulfilment of Wilson's fears that it would greatly "divide the people out of doors", but in 1788 Hamilton could write, "The mode of appointment of the Chief Magistrate of the United States is almost the only part of the system, of any consequence, which has escaped without severe censure."⁸

While the study that is here presented is a slight and evidently but a partial consideration of a really large and important subject, the results that have been attained are not without value. Briefly they might be summarized as follows: The first and greatest compromise of the Constitution was that which determined the composition of the two houses of Congress, the lower house to be representative of the people and the upper house of the states. In the second place, that five slaves should count as three freemen was not the important feature of the compromise by which both representation

¹ Compare statements by Madison, Sherman, King, and Gouverneur Morris in the Federal Convention (Gilpin, 1489, 1499, 1500, 1501, 1504, and 1506), and by Madison in the Virginia state convention (Elliot, first edition, II. 364).

² Gilpin, 1510-1511.

³ Miss House, in her *Study of the Twelfth Amendment*, Philadelphia, 1901, 20, clearly recognizes the fact of a compromise, but she misses its essential elements.

⁴ Gilpin, 1495.

⁵ *Ibid.*, 1501-1502. See also Madison's note of explanation on page 1501.

⁶ *Ibid.*, 1504.

⁷ Elliot, first edition, II. 364.

⁸ *The Federalist*, No. 68.

and direct taxation were to be apportioned among the states according to their respective numbers of population, which as a whole was only a subordinate part of the first compromise. Thirdly, one of the difficult, and perhaps the most difficult of all the questions that the Convention had to decide, the determination of which required a compromise second in importance only to the first compromise, was that of the method of electing the executive. In the next place, while its relative value must be a matter for individual judgment to determine, the compromise upon the slave-trade and navigation acts must be classed with a number of other matters of distinctly lesser importance. And finally, there are in the Constitution many clauses that one may not be inclined to regard as compromises of quite the same order as those that have just been considered, but they were worded sometimes ambiguously and always significantly, and when studied in this light they achieve an importance far beyond that which is usually accorded to them.¹

MAX FARRAND.

¹ If the interpretation of the compromises that has been given is correct, it would seem to indicate that the whole treatment of the proceedings that resulted in the formation of our Federal Constitution must be revised. The Constitution, if such is the case, is a more direct result from the conditions during the period of the Confederation and a more unbroken development from the Articles of Confederation themselves than is generally supposed.

WILKINSON AND THE BEGINNINGS OF THE SPANISH CONSPIRACY

THE story of Spanish-American relations in the trans-Appalachian country after the Revolution is an interesting and important part of our history, a significant portion of the account of the struggle for the possession of the Mississippi basin. Some of the essential facts in this story have heretofore rested in obscurity. Much that has been written is based on suspicion and rumor, not on documentary evidence. Reliance has been placed on the assumptions of Humphrey Marshall¹ and on the assertions and reminiscences contained in the *Proofs* of Daniel Clark and the *Memoirs* of James Wilkinson. Indeed the temptation to fabricate theories in the absence of proof has been almost irresistible. Fortunately, a search in the Archivo Historico-Nacional in Madrid has brought to light material that now enables us to speak with more assurance and in some respects to neglect surmise for the solid ground of fact. Several documents were discovered, of which only one has hitherto been used by historians. The most important of these documents are Wilkinson's first memorial, of August 21, 1787, in English, addressed to Stephen Miro, the governor, and Martin Navarro, the intendant of Louisiana; his declaration of allegiance to the Spanish crown, August 22, 1787, in Spanish; and the formal report of Miro and Navarro, September 25, 1787, to Antonio Valdes y Bazan, the minister of war and treasury of the Indies.² The memorial, it is true, has already

¹ It is true that the rumors and conjectures of Marshall in his *History of Kentucky* happen to be substantially correct in many cases, as the Spanish records testify, but they are not sufficient in themselves to warrant conviction on a controversial point, when unsupported by documentary evidence. See below, page 496, as to Wilkinson's oath of allegiance to Spain.

² All of these documents are in the Archivo Historico-Nacional, Madrid, Papeles de Estado, Legajo 3893 A. In their report to Valdes, Miro and Navarro state that on account of the risks of navigation the English originals, both of the memorial and of the declaration of allegiance, were not sent to Spain at the time. The present writer has been unable to discover their whereabouts. Presumption points, however, to the possibility of their being among 2,500 bundles (*legajos*) of at least 200,000 documents consigned in 1888 from Havana, the former residence of the captain-general of Louisiana and the Floridas, to the Archives of the Indies in Seville, where they now lie in a confused heap on the floor of a cellar room. Owing to the parsimony or the poverty of the Spanish government, these papers, most of which concern the United States, are in their present form practically inaccessible to students, and are being slowly devoured by worms and rotted by mildew.

It is true, then, that in this paper I have not used the original English documents. In spite of this, however, I think there cannot be the slightest doubt of their authen-

been utilized by historians, but only in the expurgated form¹ in which Wilkinson read it before the Kentucky convention² of November 5, 1788. The three³ will serve as the chief authorities for the account that follows of Wilkinson's first trip to New Orleans, and will demonstrate that, not from the Spaniards, but from Wilkinson himself, came the suggestion of a political connection of the western settlements with Louisiana.⁴

At the close of the Revolution Spain withdrew the privilege of trade and navigation along the lower Mississippi, which she had permitted to the Americans as a part of the aid rendered to them against Great Britain before and after her formal alliance with France in 1779. As the settlements west of the Appalachians increased and thrived, a corresponding agitation arose to regain this right. The agitation based itself partly on economic necessity—the river being at that time the only possible outlet for the produce of the country—and partly on the treaty of 1783, whereby Great Britain ceded to the United States her right to navigate the Mississippi as ticity, for the following reasons: (1) because of their substance and style; (2) because they are enclosed in an official letter of the ultra-reserved class signed personally by both Miro and Navarro; (3) because in their previous correspondence they never mention Wilkinson or the possibilities of negotiation with the Kentuckians; (4) because the letter in question, which is duplicated with all its enclosures in the Archives of the Indies, contains copies of the memorial, literal in English and translation into Spanish, and of a Spanish translation of the declaration of allegiance; (5) because the entire communication of the governor and intendant is devoted to comment on the two papers from Wilkinson and a description of Wilkinson's visit; (6) because the two officials assert that Wilkinson gave them the memorial and made the declaration of allegiance; (7) because in later communications of Spanish officials and of Wilkinson himself allusion is made to the fact that he was a Spanish subject and that he had furnished the memorial in question.

¹ For an abstract of this form see Marshall, *Kentucky*, I. 320–322, and Gayarré, *History of Louisiana: Spanish Domination*, 195, who quotes erroneously from Butler's *History of the Commonwealth of Kentucky*, rather than from Marshall.

² "In my opinion", writes Miro to Valdes, April 11, 1789 (Archivo Historico-Nacional, Papeles de Estado, Legajo 3893 A), "by this step he has compromised himself entirely, so that should he not succeed in severing Kentucky from the United States he will not be able to stay there, unless he has suppressed those articles which might be injurious to him—a possible procedure."

³ They are not found in the list of papers copied in the Spanish archives for Louisiana in the middle of the last century, and deposited in the office of the secretary of state at Baton Rouge. Cf. Gayarré, *History of Louisiana: Spanish Domination*, 211, note. In his *Winning of the West*, III. 132, note, Roosevelt, speaking of this work of Gayarré, observes: "He was the first author who gave a full account of the relations between Miro and Wilkinson and of the Spanish intrigues to dis sever the West from the Union." But the description given by Gayarré of the earliest relations of Wilkinson with the Spanish authorities at New Orleans is derived absolutely from the three printed sources above mentioned, and notably from Marshall. The comparative fullness of his account, based on the copies of the Spanish manuscripts at Baton Rouge, does not appear until he takes up the occurrences of 1788 and the years following, after Wilkinson had returned from his first visit.

⁴ See pages 495, 498.

derived from the treaty of 1763 with Spain. The backwoodsmen felt that the government of the Confederation was doing nothing to aid them in this respect, and that in the negotiations of Jay with Gardoqui, the Spanish minister, it was even showing a disposition to surrender their claim to the navigation of the Mississippi for certain commercial advantages to the New England states. Other grievances existed as well, and were the ground of serious opposition to both Virginia and the Confederation. If unredressed, they might lead to a separation of Kentucky from the Union.

Both Gardoqui and Miro had good reason therefore to apprehend encroachment by the Americans on the Louisiana territory, and already had begun to take measures of precaution. Their policy of constructing a barrier against American aggression had assumed two forms: the one of encouraging settlement by the Americans, as well as by foreigners, on soil claimed to be Spanish along the east bank of the Mississippi; and the other of supplying arms and ammunition to the Indians against such of the backwoodsmen as trespassed upon the hunting-grounds of savages declared to be under Spanish protection. Neither had been productive of great results. A more powerful agency to combat the American advance must be discovered, and this seemed to be offered by the discontent of the Western settlers, if only some practical method of utilizing it could be devised. But, well informed as they were of this unrest, neither Gardoqui nor Miro had as yet sent emissaries to the Kentucky country when James Wilkinson arrived opportunely at New Orleans.

That officer had emigrated with his family from Maryland to Lexington, Kentucky, in 1783. At the outset he had identified himself with the agitation in regard to the Mississippi,¹ and had even advocated the separation of Kentucky and the other western settlements from the feeble confederation of Atlantic states,² in case the object sought for were otherwise unattainable. Since a trading partnership that he had set up with Major Isaac B. Dunn had not been successful, Wilkinson resolved early in 1787 to make a political and commercial venture in Spanish Louisiana; not, however, until he had discussed the scheme at length, with several men of like character, and prominent in the separatist movement.³ The ostensible motives of Wilkinson in undertaking this journey may be gathered from the statements in his *Memoirs*.⁴

My circumstances being at that period far from affluent, it became my duty to a young and beloved family, to endeavour, by all honourable means, to advance my fortune. . . . on my arrival in Kentucky, my ex-

¹ Marshall, *Kentucky*, I. 312.

² Clark, *Proofs*, appendix, 3, 4: "A Plain Tale", etc.

³ See below, p. 501 *et seq.*

⁴ II. 109-110, 112-113.

pectations were damped by the obstructions, which the Spaniards opposed to the free navigation of the Mississippi. . . . It is notorious that the measures of the federal administration were, at that time, feeble and dilatory. The formation of the national compact, under which we have acquired political importance, was then under consideration ; but, it was uncertain at what period the rights of Kentucky, to the navigation of the Mississippi, would be asserted and acknowledged. The pressure of these circumstances, produced my first voyage to New Orleans, with a view to promote my own fortune, and to benefit my fellow citizens, by awakening the Spanish government of Louisiana, to a just sense of its interests, and thereby to effect the commercial intercourse, which was indispensable to the prosperity of the western country. . . . When I first descended the Mississippi in 1787, the project of colonisation which occupied the mind of Mr. Gardoqui, was known to me, and I determined to employ this knowledge, either for my personal emolument or the interests of my fellow citizens. . . . To effect my primary object, the opening the navigation of the river, it was necessary not only to take the ground of safety to the province, but to shew the important advantages, which would be derived to the revenues of Spain, from a commercial intercourse between New Orleans and the settlements of the Ohio. To these considerations, an extensive scheme of colonization¹ was added. . . . There was another project,² depending on the preceding, which was considered of more importance, if it could be effected, in relation to the fortunes of the concerned ; this was, that I should demand for my services, in promoting the plan of colonization, the privilege of furnishing, a considerable annual supply of tobacco, to the Mexican market, which would have secured immense fortunes for me and my friends.

Contrary to this plea of poverty, Roosevelt asserts that within three years after Wilkinson's arrival in Kentucky he had "made a good position for himself in matters commercial and political."³ In Clark's *Proofs*,⁴ however, Wilkinson is represented as saying that "He at this period considered his hopes *jeopardised*, and determined to look abroad for what he had not found at home"—which, as Clark tartly remarks,⁵ "I suppose in English means that he was a bankrupt, and that being afraid of his creditors in Kentucky, he went down the Mississippi to seek his fortune and avoid their suits." Marshall, too, observes simply that "Wilkinson, whose habits required the expenditure of money; and whose revenue demanded continued accession; being commercially inclined—and seeing less difficulty in an intercourse with the Spaniards at New Orleans, than the rest of his countrymen: had, coeval with the determination in favour of separation from Virginia, decided upon making a voyage on the Mississippi."⁶ Perhaps it was only natural that those who had

¹ See below, p. 501, note 1.

² Cf. pp. 502, 503, note 2, 505.

³ *Winning of the West*, III. 124.

⁴ Appendix, 4: "A Plain Tale", etc.

⁵ *Proofs*, 12.

⁶ *Kentucky*, I. 270-271.

noticed the share of Wilkinson in this plan of separation should associate the agitation on the subject of navigating the Mississippi, as well as of Spanish pretensions in general, with his trip southward, and believe Wilkinson interested in projects other than mere commercial ventures. Voicing accordingly the sentiment of his time, Marshall says further of Wilkinson, "his object was to effect a political connexion between Spain and Kentucky, of much more importance and extent, than that of shipping tobacco for the New Orleans market."¹ Roosevelt agrees with Gayarré that Wilkinson's primary incentive was pecuniary gain, but he adds² the impulse as well of a "restless, adventurous nature and thirst for excitement and intrigue". The same author surmises³ that "he started with the full intention of entering into some kind of corrupt arrangement with the Louisiana authorities, leaving the precise nature of the arrangement to be decided by events." Wilkinson's real motives and objects, however, were all of these and something more. They appeared definitely in his first memorial to Miro and Navarro.⁴

In April, 1787, after having freighted some flatboats with a small cargo of flour, butter, bacon, and tobacco, he embarked on the Kentucky river and, sailing down the Ohio and Mississippi, arrived at New Orleans on July 2.⁵ His military and political reputation had preceded him,⁶ and Miro forbore to seize his boats and cargo as contraband until the precise object of the American officer's visit could be ascertained.⁷ Upon landing Wilkinson was escorted directly

¹ *Ibid.*, 294.

² *Winning of the West*, III. 124.

³ *Ibid.*, 125.

⁴ See below, p. 498 *et seq.*

⁵ Miro and Navarro to Valdes, September 25, 1787. "In July, 1787," writes Navarro to the king (April 30, 1789, Museo-Biblioteca de Ultramar, Madrid, Papeles relativos á la Luisiana, Vol. III.), "there arrived at New Orleans the ex-brigadier in the American service, Mr. James Wilkinson, a person endowed with high talents, and in whom the aforesaid [western] settlements have placed their hope of future happiness; and he informed the governor and myself that it was the intention of all to put themselves under the protection or vassalage of his Catholic Majesty." Wilkinson himself says that he landed in June (*Memoirs*, II, 109; Clark's *Proofs*, appendix, 4). This statement has been followed by Gayarré (p. 195) and Roosevelt (p. 124). To explain the discrepancy in the dates it may be suggested that Wilkinson had in mind the first of his flatboats, which preceded his arrival at New Orleans by several days. Cf. Clark's *Proofs*, appendix, 7.

⁶ Gayarré (*Louisiana*, III. 194) declares that Wilkinson had already corresponded with "some friends among the merchants of New Orleans" relative to the opening of trade between the western settlements and Louisiana. But neither Clark, Marshall, nor Wilkinson states that he had any extensive acquaintance with merchants of that city or had carried on a correspondence with them. Wilkinson, indeed, asserts distinctly (*Memoirs*, II. 109) that he was a "perfect stranger" when he first landed there.

⁷ The long account given by Clark (*Proofs*, appendix, 7) of the services rendered by his uncle in prevailing upon Miro not to confiscate Wilkinson's property, lest such severity might convert the general's influence in Kentucky into a force very dangerous to the safety of Louisiana, may be true, but all Miro and Navarro say in reference to the matter in their letter to Valdes, September 25, 1787, is that they had been informed that

to the "Government House" by a corporal of the guard and formally presented himself to Miro and Navarro. Their impression of him was highly favorable. "He is a young man of about thirty-three years of age", they write in their letter to Valdes,¹ "although he looks older. His bearing and manners also indicate that he has had an excellent education." Accordingly their reception of him was courteous and even encouraging, and he was permitted eventually to dispose of his cargo. At the next meeting with the governor and intendant, through the aid of their respective secretaries as interpreters, Wilkinson gave them an extensive account of the conditions in Kentucky and explained his purposes in coming to New Orleans. These he promised to elaborate into a memorial.

The evidence, therefore, seems clear that the idea and essential features of the memorial, whether written or not in part before his arrival at New Orleans, emanated from Wilkinson, and not from the Spaniards. Gayarré,² however, following Clark,³ states that before Wilkinson came Miro had cherished the idea of employing him as an agent to effect the "secession of Kentucky, and of the other discontented districts from the rest of the United States"; but he does not observe that Clark had already contradicted himself when he affirms in the same document⁴ that Miro was "unacquainted with the American government" and "ignorant even of the position of Kentucky with respect to his own province". This ignorance on the part of Miro seems, furthermore, to be borne out by Gayarré's assertion,⁵ apparently following Marshall,⁶ that Miro requested Wilkinson "to give his sentiments freely in writing, respecting the political interests of Spain and the inhabitants of the United States dwelling in the regions upon the western waters". In his *Memoirs*⁷ Wilkinson says merely, "Governor Miro, the intendant Navarro, and our interpreters, were the only persons, to whom my most interesting propositions were communicated." Marshall furthermore intimates that Wilkinson himself was the originator of the Spanish intrigue. Says that author:⁸

It is believed, on hints and inuendoes of General Wilkinson, that he composed an essay on the commerce of the Mississippi. . . . soon

Wilkinson was the "first and principal person who had destroyed the enterprise which Brigadier [George Rogers] Clark had had in mind against Natchez" in the spring of the same year. Wilkinson flatly denies Clark's further assertion, however, (*Memoirs*, II., Appendix V; *Proofs*, appendix, 105) that his uncle had introduced Wilkinson to the governor and other officials. He declares that his meeting with the elder Clark, with whom he had no previous acquaintance, took place the day after his arrival (*Memoirs*, II. 109).

¹ September 25, 1787.

² *Louisiana*, 194.

³ *Proofs*, appendix, 7-8.

⁴ *Ibid.*

⁵ *Louisiana*, III. 195.

⁶ *Kentucky*, I. 321-322.

⁷ II. 112.

⁸ *Kentucky*, I. 321-322.

after he decided on seeking his fortune in the New Orleans market — that it was taken with him as no inconsiderable part of his cargo — and there, became a subject of conference, if not of barter. There should be no doubt, but that, the objects of the essay, were examined, and canvassed between him, and the intendant: whence they came to understand each other; and some estimate put upon its value; and that subsequently it was revised, with a view of its being sent to the court of Spain, as a first fruit of his Catholic Majesty's new subject. The essay which was read, had merit, for the views it combined, of the relative interests, of the countries on the waters of the Mississippi. . . . Its being addressed to the *intendant*, and sent to the Spanish court with Wilkinson's approbation, instead of its being addressed, and sent to congress, shew conclusively, the bias, and the aim of the author.

On the other hand, Wilkinson would rather give the impression that he had composed the formal "essay" in New Orleans. "I have wrote this Essay", he remarks in the memorial, "under hourly intrusions, daily engagements and various inconveniences." And finally, to quote Miro and Navarro themselves,¹ "He [Wilkinson] made us an extensive relation of all that the enclosed memorial contains, which he offered to work out, as in fact he has done."

The personal attractiveness of Wilkinson and his powers of persuasion soon created a certain amount of intimacy with the two Spaniards, considerably deeper on his part than on theirs.² The knowledge also that he had acquired meanwhile of the commercial restrictions imposed by the laws of the Indies, the influence of Miro and Navarro themselves, his own ambition and desire for gain, as well as perhaps the mere logic of the situation, all impressed him with the necessity of renouncing his allegiance to the United States, as a powerful means of furthering his projects. He accordingly took the oath that made him a Spanish subject.³ Its language, even in its Spanish dress, is so characteristically Wilkinsonian in style as to leave no reasonable doubt about the authenticity of the document.⁴ In translation it runs as follows:

Self-interest regulates the passions of nations as well as of individuals, and he who imputes a different motive to human conduct either deceives himself or endeavors to deceive others. Still, while I maintain this truth,

¹ To Valdes, September 25, 1787.

² Cf. below, pages 503, 505, and notes.

³ It is quite possible that Gayarré, Roosevelt, and other writers who have failed to state this fact doubted the information of Marshall, based as it was on the gossip of the time. Marshall in his *History of Kentucky*, I. 283, 312, speaking of Wilkinson after his return from New Orleans, says, "soon it was rumoured . . . that he was a Spanish subject; having taken the necessary oath of allegiance, etc. . . . He . . . was without offence, called a Spanish subject." The fact that Gayarré and Roosevelt do not mention this assertion of Marshall, however, may be due quite as much to the failure of Daniel Clark himself, with all his denunciations of the alleged corruption of Wilkinson, to assert anything worse than that the accused had received a pension from Spain.

⁴ See page 490, note.

I will not deny that every man owes something to the land in which he was born and educated. This something, in whatever form it appears, is founded on self-love; as for example, an Irishman in Spain, a Spaniard in France, a Frenchman in England, or an Englishman wherever he might be, would boastfully recount the virtues and renown of his respective nation, and would feel sorrow or vexation at any instance of its misfortune or dishonor; but to assert that an intelligent being, able to do as he sees fit, should plant himself like a vegetable that perchance was a witness of his birth, would be setting at naught the wisdom of Providence and condemning the universal practice of the human race.

When a person of distinction intends to expatriate himself, he ought to proceed with extreme caution and circumspection. He has to ponder well the obligations which subsist between him and his country, ascertaining dispassionately whether he is bound to its service by any tie of confidence, public, positive, or implicit. He ought to bear in mind that this resolution will wound the self-love of those whom he abandons, and consequently will expose his whole life and actions to the severest scrutiny, and his reputation and character to the shafts and flings of slander and calumny. Profoundly impressed with these important truths, laying aside every passion or prejudice, I call upon the reflection with which the goodness of God has endowed me and matured my decision in accordance with reason, honor, and conscience.

Having these principles, and holding to this opinion, I hope that no one can say of me with justice that I break any law of nature or of nations, of conscience or of honor, in transferring my allegiance, from the United States to his Catholic Majesty.¹

Born and educated in America, I embraced her cause in the recent revolution; and steadfastly I adhered to her interests until she triumphed over her enemy. This event, having rendered my services no longer needful, released me from my engagements, dissolved all the obligations, even those of nature, and left me at liberty, after having fought for her welfare, to seek my own. Since the circumstances and policy of the United States have rendered it impossible for me to attain this desired object under her government, I am resolved, without wishing them [the United States] any harm, to seek it in Spain, where I feel persuaded that my conduct will be directed by such principles of loyalty to my sovereign, and of justice to my fellow-subjects as will assure me tranquility of conscience and bear my name untarnished to posterity.

Thus both the regard for my own good name, which I love infinitely more than my life, and that which I profess for you, gentlemen, [*i. e.*, Miro and Navarro], to whom I have the honor to apply, have led me to suppose that, whatever be my future lot, I may rely upon you both as repositories of my honor to bear witness to my principles, and that the motives of my conduct are the real advantage of the country in which I dwell as well as the interest and aggrandizement of the Spanish monarchy; in pledge of which I affix my signature, the twenty-second of August in the year of our Lord, 1787.

Although he had completed, the day before he made this statement, the elaboration of his earlier discourse before the governor and intendant into the momentous memorial, Wilkinson did not

¹ "Poseyendo estos principios, y abrazando esta opinion, espero que no se podrá decir de mí con justicia que quebranto ninguna ley de naturaleza ó naciones, de conciencia ó honor, en cambiar mi fidelidad de los Estados Unidos á su Majestad Católica."

formally present the same until September 5.¹ The first part of it is devoted to a portrayal of the dissatisfaction of the Kentuckians with the Congress of the Confederation. He emphasizes the rapid increase of population in the west, and their aggressive self-reliance as well. He observes:

In all Republics the execution of the Laws, from obvious causes, is lax, inert and vague; the Americans who pass the Mountains, and seat themselves at a great distance from the executive authority of their respective Governments, availing themselves of this principle, and complaining of the want of those commercial advantages, which their Brethren on the Atlantic enjoy, unitedly declare against taxation, nor can any Person be found among them who will attempt the execution of the Law on this Subject.

He then proceeds to show how incompetent the Congress was to handle the problems of the time, and avows his conviction that it will not procure for the Kentuckians the relief they desire; "the evident consequence of this", he says, "will be a distinct confederation of the western inhabitants." Independence once attained, however, he solemnly assures the Spanish officials that the Kentuckians would resort to any means whatever to gain the free navigation of the Mississippi—an "object on which all their hopes of temporal happiness rest, and without which misery and wretchedness is their certain portion". He further declares that overtures, if made, would first be extended to Spain, and that if they failed, the Kentuckians would ally themselves with Great Britain, and take by force what they could not get by negotiation. The reward of Great Britain would be Louisiana itself.

After a brief account of the machinations of Great Britain against Spain and the United States since the Revolution, he plunges into a discussion of "what ought to be the policy of the Spanish Court at this critical conjuncture", as he terms it. To this end he propounds the following queries:

1st Will it be practicable for us permanently to resist the claim *to the Navigation of the Mississippi* of the already powerful and increasing American settlements, west of the Apalachian Mountains, when aided by a respectable European Power? 2nd Will the resistance of this claim for a few years compensate the King for the expences he must incur thereby or may not this resistance produce consequences more injurious to the Spanish Monarchy than the loss of Louisiana altogether? 3rd Will it be most advisable, by partial indulgence and an accommodating deportment to attach these settlements, and render them subservient to the interest of Spain, or by hostile restraints and rigorous exactions to drive them into the arms of Great Britain.

With a wealth of florid verbiage he deduces from the character

¹ Miro and Navarro to Wilkinson, September 6, 1787, Archivo Historico-Nacional, Estado, Legajo 3893 A.

and circumstances of the Kentuckians a distinct negative to the first two queries. Concerning the third he remarks:

If Spain drives the Americans into the arms of Great Britain she immediately endangers her Louisianian territories, and eventually her Mexican Provinces; on the contrary, if she attaches the Americans to her interest, she may immediately deduce a vast Revenue from the connexion and establish them a permanent barrier against Great Britain and the United States.

In this state of things his Excellency Don Diego de Gardoqui should without hesitation peremptorily and absolutely refuse to Congress the Navigation of the Mississippi, for should this Gentleman form a treaty, by which the Americans may become intitled to the independent enjoyment of this Navigation, he will destroy the power which Spain now enjoys over the American settlements, and entirely defeat our principal view; for it may be laid down as an absolute Fact that these Settlements will continue subordinate and look up for protection to that power which secures them this most precious privilege; let Spain then carefully preserve this right to herself, until she can employ it in exchange for such concessions as she may think proper to demand from the western settlers of America.

The prohibition of intercourse by the Mississippi with the Americans was highly judicious, inasmuch as it has preserved to Spain the power of conferring an inestimable favor (to be priced at her discretion) on a People who, had they been indulged in their claim of the Navigation without interruption, would have viewed Her as an equal, to whom they acknowledged no obligation; this prohibition should be still supported, *generally*, with as much rigor as ever, tho' in order to conciliate and prepare the Minds of the western Americans for the grand object of these speculations, it may be politic to relax in particular instances, and to offer indulgence to men of real influence; this conduct would attach the leading characters in that Country to the interest of Spain, would cheer the People with the hope of a free and friendly intercourse, and prevent every act of outrage and hostility: with these prepossessions the transition from the renouncement of the federal Government of America to a Negotiation with the Court of Spain would be natural and immediate.

At this point Spain should rest, and patiently wait the advances of the Americans, but it seems absolutely indispensable that the powers of Government here should be so far enlarged as to authorize the governing officers to treat with the Agent or Agents who may be sent down by the Americans on the leading principles of the connexion, which will both facilitate and expedite the business; the overture being made by the Americans, Spain will have the Game in her own hands, and as it will doubtless be played by heads much abler than my own it would be presumptuous in me to offer my sentiments on the subject at this time; I will therefore only observe that I shall be ready to give my feeble assistance at all times, and that I am persuaded the negotiation may be so conducted as to secure to Spain every advantage¹ she can wish from the

¹ Cf. Wilkinson's *Memoirs*, II. 114-115: "But, that I have ever, in all my correspondence and intercourse with the Spanish government, conceded a title of the honour or interests of my own country, I most solemnly deny, in the face of God and man; and I have ample and undeniable testimony to shew that I omitted no occasion, to employ my ascendancy over the officers of Spanish Louisiana, to render them subservient to the interest, and accommodation of the United States."

connexion, without involving her in any dispute with the United States. Spain claims and commands the navigation of the Mississippi which she may dispense to such part of the United States and on such Conditions as her Policy or inclination may direct; and if any part of the United States should violate the federal pact or the Laws of the union, to obtain this Blessing, it must be the violators, and not the Spanish Court who stand answerable to Congress. In this case Spain will be tacit, and the Americans only will act.

But after all, should this splendid plan be defeated by any circumstance, at present unforeseen and unexpected, I am decidedly of opinion, that the following system of policy and defence will have the strongest tendency to give security to Louisiana, and bids fair, ultimately to produce the Event which we have under contemplation.

He then recommends, as a military and political precaution, the establishment of a fortified post at a trading-station called *L'Ance à la Graisse*¹ (sic), some miles below the junction of the Ohio and the Mississippi, urging the measure as follows:

On strict military principles it is necessary for the immediate defence of the Province, and in a political view it is necessary because, in any negotiation which may hereafter take place between Spain and the western Americans, the more respectable and independent the military strength of the former, the greater will be the concessions she will receive from the latter. . . . this Post once established, Spain may admit the settlement of Americans in Louisiana and Florida with safety, tho' I think the former should be encouraged because the soil is preferable, and the measure will tend to alienate and eradicate american principles and connexions; it should be an invariable maxim not to admit any Person to residence who did not bring with him visible property, or could not give ample security for his good behaviour in the penalty of confiscation: the oath of allegiance should be universally exacted, but as Religion depends on Faith and internal conviction, the first settlers should be left free and unfettered in this respect. . . . Churches should be erected at the public expence and Priests of Piety, Philanthropy and address, who well understand the English Language, habits, and manners should be established in these settlements, not only to propound the holy Gospel, but to educate the rising generation, every other public worship being suppressed; first the forms and then the principles of the ancient Religion would be adopted: Nor should the military and civil jurisdiction in these settlements be less strictly regarded, it should be comited to Men of liberal Minds and enlarged understanding, who could speak the English Language, and for the occasion would sacrifice every Idea of private Interest; under such an administration an american would look back with disgust to the caprice of the Government he had abandoned, and, finding himself in the free and secure enjoyment of his property, without taxation, he would become attached to the Government of Spain, by the indissoluble Bonds of Interest and affection. —

This plan, as beneficent as it is political, would produce immediate consequences highly important to Spain, for the early adventurers having reported to their Brethren, whom they left behind, the mildness and equity of the Government, the fertility of the soil, the advantage of the Markets, and above all their exemption from taxation, the emigration

¹ Later New Madrid.

from Kentucky and other American settlements would be as rapid to Louisiana as it ever was from the Atlantic States to the Western Country; this Province would then rise into immediate Wealth; Strength and National importance.—the very same considerations, therefore, which dispose the United States to resist the population of the western Country should dictate a contrary policy to Spain, for commanding, as she does, the only avenue to exportation, when this vast and luxuriant country becomes populated, she will be able to derive from commercial imposts alone a Revenue more certain and perhaps equal to that of South America.¹

After this disquisition on the proper policy for Spain to pursue, Wilkinson explains the motives or, as he calls them, "the grounds and objects" of his visit—by far the most important part of the memorial:

Know then, that the leading characters of Kentucky, the place of my residence, impatient under the inconveniences and distress which they suffer from the restraints on their commerce, urged and intreated my voyage hither, in order to develop if possible the disposition of Spain towards their Country, and to discover, if practicable, whether she would be willing to open a negociation for our admission *to her protection as subjects*, with certain privileges in political and religious matters, consonant to the Genius and necessary to the happiness of the present generation; these privileges would have been specifically defined, and I should have borne a written Commission, had not Kentucky (tho' on the eve of establishing herself a free and independent state) still appertained and continued subordinate to the commonwealth of Virginia; but as I have heretofore observed, I am persuaded the People of this District, so soon as they have organized a Government of their own, will make a formal application to the court of Spain on the subject just mentioned; and as I am convinced their happiness, as well as the peace of Louisiana, depends upon the success of this application, I shall take much pleasure in employing all my faculties to compass this desirable event,² and for such consideration, as my services may be deemed to merit.

Should this proffer be embraced I shall hold myself in readiness to receive the instructions of Government and to return by the safest and speediest Route to Kentucky, having previously established a confidential correspondent near the seat of Congress, who shall transmit me regularly every act of that Body which can in any shape affect the subject before us.

¹ Wilkinson's memory is at fault when he declares (*Memoirs*, II. 112-113) that he presented at this time an "extensive scheme of colonization" (cf. above, page 493). He did not offer it until September 17, 1789, in a letter, or rather a second memorial, to Miro, after he had learned of the decision of the Spanish government, November 20, 1788, on the general propositions submitted in his first memorial. Archivo Historico-Nacional, Estado, Legajo 3898 B.

² Cf. Wilkinson's statement in his *Memoirs*, II. 113: "The idea of alienating Kentucky from the United States, while a prospect of national protection remained, would have been as absurd, as the idea of reducing them to the vassallage of Spain. Such a proposition would have been so vain and chimerical, that no man, whose interest it was, to preserve a consistency of character with the Spanish government, would have ventured to hazard it. Indeed, the monstrous extravagance of the thought, is too ludicrous for grave consideration, and could never have originated, with any person who understood the character, genius, and government of the people of the United States."

When I return to Kentucky, *if my propositions are embraced in the answer which I may receive to this address*, I shall forthwith proceed though with cautious deliberation to exert my political weight and influence to familiarize and recommend to the Body of the People among whom I live those views which constitute the design of my present voyage, and which have already fixed the attention of the discerning part of that Community, and I will engage constantly to transmit to his Excellency the Governor by trusty Couriers employed for the purpose (who are to be paid by this Government for the hazard and fatigue of the journey) a particular representation of every measure which I may adopt in this important business, as well as every proceeding of Congress interesting to our views and the effects either may produce on the subject. I hope, however, that I shall not [be] condemned for attempting *at the same time that I am labouring to advance a Work which may lead to the aggrandizement of Spain, and the prosperity of thousands*, to provide for the safety and happiness of my own Family. For this purpose, and to give the strongest assurance of the sincerity of my professions I humbly pray that I may be permitted to transmit to an Agent in this City in Negroes, live Stock, tobacco, Flour, Bacon, Lard, Butter, Cheese tallow, Apples the amount of fifty or sixty thousand Dollars, cost of Kentucky, which articles may be sold for my account, and the proceeds held by his Excellency the Governor, as a pledge for my good conduct until the issue of our plans is known, or I have fixed my residence in Louisiana.¹

In conclusion, Wilkinson hints at the probability that, if the scheme succeeded, the other western settlements would speedily imitate Kentucky by enrolling themselves under the protection of Spain. He declares, however, that the success in question depends upon "the most inviolable secrecy";² the continuance of Miro in his present office, and the appointment of Navarro as minister to the "American Court":

This Gentleman fixed near Congress, from his knowledge of the Subject, would be able to seize every occasion to advance our views and by this arrangement we should be able to establish a direct communication from Congress thro' the western Country and by Louisiana to the Court.

He terminates the memorial³ as follows:

Pardon, Gentlemen, these reflections, they are dictated by a conviction of their utility, and by my zeal in the cause in which I have engaged. to you, Gentlemen, I have committed secrets of an important nature, such as would, were they divulged destroy my Fame and Fortune for-

¹ "The general has acknowledged to the author of these remarks, that he originally contemplated removing to Natchez; and did favour the policy of the court of Spain, at that time, to populate that district with emigrants from the United States, for motives too obvious to name." "A Plain Tale," etc., in Clark's *Proofs*, appendix, 5.

² "My transactions were confined to Governor Miro, and Intendant Navarro, and of course were secret; which necessarily gave room for every idle conjecture, which whim might suggest or malice dictate." Wilkinson, *Memoirs*, II. 116.

³ Appended to this document are a list and a map of fourteen settlements made by the "vassals of the United States along the rivers or creeks which discharge their waters into the Ohio." The names given are: Alleghany, Monongahela, Tiger's Valley, Green River, New River, Blue Stone, River Holston, French Broad River, Tennessee, Clinck's River, Powel's River, Kentucky, Cumberland River, and the County of Illinois.

ever. But I feel the strongest confidence in your silence and discretion, and if the plan should eventually be rejected by the Court, I must rely on the candor and high honor of a dignified Minister to bury these communications in eternal oblivion.

On the day after Wilkinson had presented the memorial Miro and Navarro sent him a formal reply.¹ In it they granted, as a proof of the confidence his propositions had inspired, the right to send from Kentucky a consignment of tobacco, negroes, cattle, swine, and apples, though not to exceed half of the sum he had suggested.² The proceeds therefrom were to be deposited in the provincial treasury as agreed until the king of Spain should signify his pleasure in the matter.³ They promised to recommend his proposals in their

¹ Miro and Navarro to Wilkinson, September 6, 1787, Archivo Historico-Nacional, Estado, Legajo 3893 A.

² Gayarré, therefore, is misleading when he states (*Louisiana*, III. 195) that on the occasion of this first visit Miro gave Wilkinson "permission to introduce into Louisiana, free of duty, many western articles of trade which were adapted to its market". Marshall (*Kentucky*, 283), followed by later writers, including Roosevelt (*Winning of the West*, III. 126), observes: "It was rumoured that he [Wilkinson] had made a contract with the Spanish governor, which enabled him to ship tobacco, and deposite it in the king's store, at ten dollars per hundred. . . . He . . . let it be known that he had an exclusive privilege at New Orleans." Wilkinson, it is true, may have secured from the Spanish officials at this time special rights of trade, in addition to those conceded in the formal permission of September 6, 1787. But there are several reasons to believe the contrary. Among them may be mentioned first, aside from the proverbial caution of the Spanish officials (cf. below, p. 505 note 1), the fact that the laws of the Indies prohibited the grant of commercial privileges to foreigners without the specific approval of the home government. In the second place, the Spanish colonial officials were accustomed to render the most minute reports on their administration, particularly if the business belonged to the reserved or secret class; but, in their presentation of Wilkinson's projects, they allude to no concession beyond the one cited above. With the terms of this concession, furthermore, Wilkinson's own statement (*Memoirs*, II. 115) coincides almost precisely: "I obtained, in the first instance, a permit from Governor Miro, to introduce to the market of New Orleans, thirty-five thousand dollars worth of the produce of Kentucky." Indeed, Wilkinson's more extensive privileges, be it said, date from the second permit, August 8, 1788 (*Ibid.*, 116). Whatever he may have seen fit to give out in regard to his concession when he reappeared in Kentucky was no more than a mixture of personal vainglory with the Spanish propaganda for the promotion of his own pecuniary interests.

³ When the first consignment from Kentucky arrived at New Orleans, the following spring, Abner Dunn, who was in charge of it, had instructions from Wilkinson to ask Miro for an immediate payment of the proceeds from the sale, instead of leaving them in the provincial treasury. As a reason for this favor he pleaded that he could thus cancel a debt of 3,000 dollars contracted during his stay in New Orleans, and pay the boatmen their wages, as well as pay the owners of the shipment for what was due them on the tobacco, which he had purchased on credit. The surplus, furthermore, would enable him to meet other obligations without loss, and hence would conveniently stimulate and enlarge his influence in the Kentucky region. "I have determined to gratify him on this occasion", writes Miro to Valdes, June 15, 1788 (Archivo Historico-Nacional, Est., Leg. 3893 A), ". . . for, if we compare the mischief that might arise from vexing him, and the impediments that the lack of money would doubtless put in the way of his operations, with the greater security we might have in keeping his money in the treasury", he believes the advantage would lie clearly in dispensing with the former stipulation.

report to the home government, and said in conclusion, "Although we are not authorized to grant the favors asked, we are persuaded that his Majesty will heed the reasons . . . in the memorial . . . which fact you can make known to the prominent men and the other inhabitants of the district for their satisfaction and hope."

Before his departure Wilkinson arranged with the Spanish officials to carry on a correspondence in "one of the most incomprehensible of ciphers,"¹ in order to be able", say Miro and Navarro,² "to give us the news which this delicate subject may call forth". He sailed from New Orleans for the Ohio by way of Philadelphia, September 16, "very enthusiastic over his task of preparing the minds [of the Kentuckians] for the attainment of the first project",³ i. e., of procuring their subjection to Spain.

In their report⁴ on the memorial the governor and intendant accept as unquestionable the alternatives deduced from Wilkinson's reasoning, namely, the loss of Louisiana—the natural barrier of Mexico—or the adoption of one of the two projects he offers. They descant upon the obvious advantages of the acquisition of Kentucky as an additional bulwark of Mexico, and request their superiors for instructions in dealing with any commissioners who might come from the Ohio region. These instructions should relate to the extent of religious liberty to be allowed the new subjects or settlers, the amount of tobacco to be purchased from them on account of the crown, the scope of their commercial privileges, and the sort of administration to be established among them. The realization of the scheme to annex the western settlements, however, the governor and intendant regard as quite remote, depending as it did upon the action of Congress. On the other hand, the project for encouraging colonization from the Ohio region they felt was immediately practicable, and did not preclude the acceptance of the more radical one whenever the contingency might arise.

¹ Says Wilkinson through the medium of "A Plain Tale", Clark's *Proofs*, appendix, 5, "On the general's first engagement a cypher was formed, more for the security of the communication of his friend, than his own."

² To Valdes, September 25, 1787.

³ *Ibid.*

⁴ This document of course belonged to the class of official correspondence marked "reserved by preference". Its joint composition and signature by the governor and intendant show its highly important character. It happened to bear the number 13 in the series. See Gayarré, *Louisiana*, III. 212. This was the origin of the numeral by which Wilkinson was known in his later communications with the Spanish authorities. Archivo Historico-Nacional, Est., Leg. 5564 B. Casa Calvo to Cevallos, March 30, 1804: "El mismo sugeto conocido bajo la indicación del No. 13, cuyo guarismo señaló la representación dirigida al Sor. Bailio Fr. Dn. Antonio Valdes por el gobernador é intendente de estas provincias con fecha de 25 de Setiembre de 1787, ha puesto en mis manos la carta", etc.

The fact that Wilkinson was willing to allow the proceeds from his commercial venture to be placed temporarily in deposit until "the course of his schemes should be perceived", or until he could take up his residence in Louisiana, seemed to obviate any suspicion that he had wished to delude the Spaniards with "grandiose undertakings as a means of realizing a profitable commercial speculation".¹ The well-known circumstances, moreover, of the western country and the quasi-anarchy in the government of the United States apparently substantiated the sincerity of Wilkinson's overtures. Capable as he was of "making the settlers of that region adopt on a critical occasion any procedure he may elect", Miro and Navarro recommended that his energy be stimulated by the approval of their concession of half the amount of imports asked, and by the admission of the other half as well. In either case the goods should come in free of duty. "But, while for the present, the favors should extend no further", write the two officials, "it might be well to have his Majesty signify to Wilkinson that he will be rewarded generously for his services if he succeeds in the first and principal project, or brings all his influence to bear in the accomplishment of the second." They express a desire also to know whether other influential men in Kentucky, as Wilkinson advises, should be given a like privilege of commerce with, however, the imposition of a six per cent. duty.

"In order that the excessive curiosity of the prominent men of this capital may be confined to a single object", conclude the governor and intendant, "we have insinuated that Wilkinson came as a commissioner of the settlements [along the Ohio] to solicit a general permission to send down their produce . . . the good effect of which is that nobody has imagined anything else." This clever arrangement, whereby an ostensibly innocent commercial transaction for the benefit of Wilkinson and the Kentuckians concealed a plot to sever the west from the Union, deprived those who suspected his motives from the outset of anything more effective than surmise and conjecture. Nevertheless his contemporary Marshall doggedly asserts:

These documents, present to the mind two distinct engagements into which General Wilkinson . . . entered, at Orleans: one with the government, by which he . . . obtained the exclusive privilege of trading to that port; and to obtain which he . . . used means, not *necessary*, nor

¹ In his letter to Valdes, June 15, 1788 (Archivo Historico-Nacional, Est., Leg. 3893 A), Miro remarks that, while he believed that Wilkinson was doing a considerable amount of work for the cause, it was possible, nevertheless, that his design was to enrich himself at the mere cost of bolstering up Spanish hopes of advantage, while he knew all along that the scheme was futile.

obligatory, nor HONOURABLE,¹ to be disclosed ; — the other, merely commercial, and which as usual, was committed to a formal contract. This double plot, it was, which perplexed the best informed men in Kentucky, at that day — as the clandestine, and dishonourable part, was carefully concealed from all but coadjutors ; and that which was ostensible, enabled Wilkinson to carry on his political intrigue for many years ; and finally to escape the punishment, due to his perfidy — to the no small emolument of himself and others ; and to the very great annoyance of better, and honester men.²

But neither such assertions as these nor the damaging testimony of Clark's *Proofs* sufficed to establish the whole truth as to what happened during Wilkinson's first visit to New Orleans.

WILLIAM R. SHEPHERD.

¹ Quoted from Wilkinson's mouthpiece in "A Plain Tale" (Clark's *Proofs*, appendix, 5) : "It is neither necessary, nor obligatory, nor would it be honourable to detail the means he employed to effect this object [*i. e.*, procuring for "his fellow citizens in the west . . . the invaluable advantages of a free trade with New Orleans"] it will suffice to say that his country was accommodated and benefited by his enterprise, and that his personal speculations, in their nature politically innocent, were directed to the friendly correspondence, harmonious intercourse, and reciprocal interests of the two countries."

² *Kentucky*, I. 313.

THE WORLD ASPECTS OF THE LOUISIANA PURCHASE

ARGUMENT by title is a very attractive form of fallacy. We therefore freely confess that it is rather a thesis we have to establish than a theme to unfold when we speak of the Louisiana purchase as a decisive epoch of general history and of American history in particular. Moreover, there is a sense in which every moment throughout the comparatively short duration of recorded history is a decisive one: in the pursuit of that idea the verge between sound, solemn truth and fanciful fiction is but a razor-edge.

Yet by common consent some men and some events are epochal. Carefully scrutinized, such men and such events are known by very definite qualities. There are times when the great central current has few lagoons, no back-water, and never an eddy. The whole substance of history is thrown into a single channel, affording a notable example of the unity of history and compelling its study by transverse sections rather than by longitudinal fibers. The man of such a period is fairly certain to be preëminently busy, so diligent, so comprehensive, so perspicacious as to be for the duration of his activity and ability an indispensable person, the man of his age. He is literally and etymologically a governor, for he steers the bark of state alike on the convexity of the swift and swollen tide, and in the hollowing current of a falling flood.

Such a decisive epoch was that of the eighteenth-century revolutions, a crisis reached after long, slow preparation, precipitated by social and religious bigotry, dizzy in its consummation, wild and headlong in its flight, precipitous in its crash. Of this important time the results have been so permanent that they are the common-places of contemporary history; in what Carlyle called the revolutionary loom the warp and woof were spun from the past, and the fabric is that from which our working clothes are cut. Moreover, within those years appeared the great dominating soul of modern humanity, who displayed first and last every weakness and every sordid meanness of mankind, but in such giant dimensions that even his depravity inspires awe. His virtues were equally portentous because they worked on the grand scale, with materials that had been threshed and winnowed in the theory and experience of five genera-

tions of mankind. It was well within this stupendous age and by the act of this representative man that Louisiana was redeemed from Spanish misrule and incorporated with the territories of the United States. Nor was this all. A careful examination of the general political situation just a hundred years ago will exhibit the elemental and almost ultimate fact that the sale of Louisiana was coincident with the turn of the age. It is to this exhibit and to some reflections on its meaning that we address ourselves.

The substance of the treaty of Amiens was that Great Britain ostensibly abandoned all concern with the continent of Europe, and that France, ostensibly too, should strictly mind her own affairs in her colonies and the remoter quarters of the globe. George III. removed from his escutcheon the fleur-de-lis, and from his ceremonial title the style of king of France. The whole negotiation was on both sides purely diplomatic, an exchange of public and hollow courtesies, to gain time for the realities of a struggle for supremacy between the world powers of the period, a struggle begun with modern history, renewed in 1688, and destined to last until the exhaustion of one of the contestants in 1815. Neither party to the treaty had the slightest intention of observing either its spirit or its letter. While the paper was in-process of negotiation Bonaparte was consolidating French empire on the continent, and after its signature he did not pause for a single instant to show even a formal respect for his obligations. The reorganization of Holland in preparation for its incorporation into the French system, the annexation of Piedmont and defiance to Russia in the matter of her Italian protégés, the Act of Moderation in Switzerland, and finally the contemptuous rearrangement of Germany were successive steps which reduced England to despair for her continental trade. To her it seemed as if there could be no question about two things: first, that the old order must be restored, in order to safeguard her commercial safety; and second, that her colonial policy must be more aggressive than ever.

A favorite charge of Napoleon's detractors is that he left France without a colonial empire. This was due to no absence of either aspirations or efforts. His earliest passion, his mature intention, his latest yearnings were for a French colonial empire. This was true, because there was not one item of the great political creed formulated by Richelieu to which he did not consider himself the heir; oriental aspirations, western ventures and explorations, the dominance of France in the tropic seas, around the globe, were articles of that creed. It had been therefore no slight blow to his personal ambition when he failed in Egypt. Turkey was still safe under the

protection of Great Britain, and the highway to India was still in British hands. Almost without a moment's hesitancy, he turned his forces westward and formed the majestic design of a second New France around the Caribbean, the Gulf of Mexico, and eventually with a mighty wing toward South America. This adjunct became the chief corner-stone of the policy when, after its initial failure, he had a chance to renew it in 1808 by Sassenay's mission to Argentina.

Simultaneously he had come to terms with Paul of Russia, and with him he negotiated a grandiose treaty providing for a great land expedition against Hindustan. Each power was to furnish 35,000 men and a corps of scholars; the march was to be a colonization of the wilderness, and the wealth of the East Indies was to be the reward. Paul died by violence just as his army was crossing the Volga on the ice in March, 1801, and Alexander, his more or less blood-guilty but philosophic heir, put a stop to further procedure. A curious chapter of England's resistance to the French Revolution is that for which Lord Wellesley furnished the subject-matter in his campaign against Tippoo Sahib, then in alliance with a mighty band of French adventurers, who, though royalists, were willing to stand and fight for French supremacy in India. To this long and gallant struggle the treaty of Amiens was an extinguisher, for it restored the five French cities to Bonaparte. Decaen, the noted and boasting Anglophobe, had demanded a mission to India on the very morrow of Hohenlinden; less than a month after the signatures were affixed at Amiens he was despatched to occupy the French towns of Pondicherry, now to be restored. But with an expedition of 1,600 men he had the monstrous disproportion of seven generals and a corresponding mass of minor officers. Clearly he was to reorganize the whole French force of India. Wellesley refused to execute the treaty, and Decaen was forced back on the French settlements of Réunion as a base from which to await developments. Hindu troops were drilled, reorganized, and found thoroughly trustworthy; a detachment of them had even been sent to Egypt, where they had some slight share in the retention of British control. It was Bonaparte's rôle to present a dauntless front to his foes, whatever his inner discouragement and hesitancy. Accordingly he despatched the notorious Sebastiani as a so-called commercial agent to examine the situation in the Levant. The result was a report giving an exact account of all the English and Turkish forces beyond the Adriatic, and drawing the highly pertinent conclusion that 6,000 French soldiers could reconquer Egypt. When this stinging insult was published by the First Consul in the *Moniteur*, the British world was worried into open defiance.

From this rapid survey there emerge the important facts essential to our discussion. It was surely a turning-point in the history of the civilized world, so far as Asia was concerned, when Bonaparte's oriental designs were permanently thwarted, when Russia was forced into an eastward expansion north of the great central mountain ridge of Asia to become a hyperborean power, when England defiantly claimed for the first time all Hindustan as her own. It wrote "finis" to the chapter of France's glory in India and indeed to the story of her Asiatic aspirations: her far eastern colonies seized under the present republic are comparatively insignificant factories, which she holds on the sufferance of the European concert, and for which she would not defy the world a single moment, as she would defy it to the spilling of her heart's blood should her present African empire be menaced.

Again, the situation was a turning-point of the first importance in Africa. In consequence of the desire of both contracting parties to catch their breath, Egypt was restored to Turkey, and the Cape Colony was to be a free port, a no-man's-land; Malta, which is an African isle, was to be returned to the Knights of St. John. The theory was that not one Christian power, continental or insular, was to hold a coign of vantage as regards the dark continent. Russia, to be sure, was jealous for Malta; England and France, for Egypt and the Cape; they might remain so, but that was all. Of course we are familiar with the late partitions of Africa among the powers, the coast and *hinterland* arrangements which bid fair to become permanent occupations. Had it not been for the compulsory suspension of Bonaparte's oriental plans, the retention by England both of India and of the Indian highway through the Mediterranean, and the confirmation of this situation by the evolution of affairs across the Atlantic which culminated in the sale of Louisiana to us, the fate of Africa, humanly speaking, would, like that of Asia, have been far different in every single respect.

What was written for Europe in the book of fate was soon revealed. No one could prate more serenely about destiny than General Bonaparte, nor scrutinize more quizzically the sibylline leaves. But like the augurs of old, he could scarcely retain his mirth when he announced the oracle, nor keep his body from shaking with laughter while the feigned fury of passion was distorting the features of his face in frenzied anger. The treaty of Amiens was negotiated subject to guaranties from the other powers, and Addington well knew that Russia was going to fish in the troubled waters of neutrality for the leviathan of her disappearing prosperity. So the English refused to evacuate Malta. The Whitworth scene is one of

Napoleon Bonaparte's finest dramatic rôles, and the delivery of his line, "I would rather see England in the Faubourg St. Antoine than in Malta", a climax of theatrical statesmanship. It is by no means sure that he might not have seen the British sail away both from Alexandria and Valetta, that he might not have received in delivery the cities of Pondicherry, that he might not have confirmed his American empire, had he been willing to grant Great Britain a commercial treaty that would have turned her stores of manufactured goods into hard cash, have relieved the awful financial strain under which she was tortured, and have given her the full advantage of her long precedence in the industrial revolution. But no. By the treaty of Morfontaine, September 30, 1800, with the United States, he arranged to strip us of all Mississippi trade and thus tardily execute the policy of our isolation on this continent, which Vergennes had vainly sought to embody in the public law of Europe. Soon he began to close the ports of France and her allies more firmly than ever to British goods, hoping under the protective system to give France a chance in the race for industrial supremacy. The English were aghast, and in their grim determination to renew what they felt was a struggle for life and death they broke off diplomatic relations, and war began. This outcome was inevitable, but it was too soon for Bonaparte. His versatility was sorely strained to settle finally on his policy.

It was Samuel Adams who first sneered at his fatherland as a people of shopkeepers. The winged word soon became a commonplace to all outsiders, but as it flew every nation that used the gibe girded itself to enter the struggle for the same goal. France above all was determined to be a nation of shopkeepers, and the First Consul of what was still a shaky experiment in government knew well that rather than abandon that ambition, he must sacrifice every other. After all, a colonial empire has value only as the home nation has accessible ports, manufactories for colonial products, and wares to exchange with the producers. France had neither factories nor manufactures, and was destitute of nearly the whole machinery of exchange. Her merchant vessels sailed only by grace of the British fleet. Her home market was dependent on British traders even in times of war. Bonaparte's foremost thought, therefore, was for concentration of energy. The sea-power of the world was Britain's, and her tyranny of the seas without a real check; even the United States could only spit out defiant and revengeful threats when her merchantmen were treated with contempt on the high seas by British men-of-war. Therefore with swift and comprehensive grasp he framed and announced a new policy. The

French envoy in London was informed that France was now forced to the conquest of Europe—this of course for the stimulating of French industries—and to the restoration of her occidental empire. This was most adroit. The embers of French patriotism could be fanned into a white heat by these well-worn but never exhausted expedients—a blast against perfidious Albion and a sentimental passion for the New France beyond the Atlantic. The motions were a feint against England by the formation of a second camp at Boulogne, where a force really destined for Austria was assembled, and the wresting of Louisiana from the weak Spanish hands which held it. As an incident of the agitation it seemed best that the French democracy should have an imperial rather than a republican title, and the style of emperor and empire was exhumed from the garbage heap of the Terror for use in the pageantry of a court.

In Europe thus, as in the neighboring continents, the rearrangement of politics, territorial boundaries, social, economic, and diplomatic relations, a change which has made possible the modern system, was really dependent on the events which led to the adoption of the policy just described. But this policy involved a reversal of every sound historical principle in Bonaparte's plans. For twelve years longer he was to commit blunder upon blunder; to trample on national pride; to elevate a false system of political economy into a fetish; to conduct, as in the Moscow campaign, great migrations to the eastward in defiance of nature's laws; to launch his plain, not to say vulgar and weak, family on an enterprise of monarchical alliances for which they had no capacity; to undo, in short, as far as in him lay, every beneficent and well-conceived piece of statesmanship with which he had so far been concerned. It has been well said that had he died in midsummer, 1802, his glory would have been immaculate and there would have been no spots on his sun. The Napoleonic work in Europe was destined to have its far-reaching and permanent results, but the man was ere long almost entirely eliminated from control over them. The very last of his great constructions was the sale of Louisiana. He needed the purchase-money, he selected his purchaser and forced it on him, with a view to upbuilding a giant rival to the gigantic power of Great Britain.

When we turn therefore to America, we shall at once observe on how slender a thread a great event may depend, how great a fire may be kindled by a spark adroitly placed. While yet other matters were hanging in the balance, he selected his own brother-in-law, General Leclerc, such was his deep concern, to conduct an expedition to the West Indies. There were embarked 35,000 men, and these the very flower of the republican armies, superb fighters, but a

possible thorn in the side of a budding emperor at home. Their goal was San Domingo, where a wonderful negro, Toussaint L'Ouverture, noting the attractive example of the benevolent despots in Europe, had, under republican forms, not only abolished slavery, but had made himself a beneficent dictator. The fine but delicate structure of his negro state was easily crushed to the earth, but the fighting was fierce and prolonged, the climate and the pest were enabled to inaugurate and complete a work of slaughter more baleful than that of war, and two-thirds of the French invaders, including the commander and fifteen of his generals, fell victims to the yellow fever. The French were utterly routed, the sorry remnant sailed away, and the blacks fell into the hands of the worthless tyrant Dessalines, whose misrule killed the germs of order planted by Toussaint. One of our historians thinks this check of France by black soldiers to have been a determinative factor in American history, for thereafter there could be no question of a Gulf and Caribbean empire for France. Louisiana, he indicates, became at once a superfluous dependency, costly and annoying. This is a far-fetched contention: great as have been the services of the negro to the United States since he first fought on the battle-field of Monmouth under Washington, the failure of France in San Domingo was not through the sword of the blacks, but was an act of God through pestilence.

The circumstances that forced Louisiana upon the United States, then a petty power with revenues and expenditures far smaller than those of the Philippine Islands at this moment, arose from Napoleon's European necessities. The cession from Spain included all that Spain had received from France, the whole Gulf coast from St. Mary's to the Rio Grande, and the French pretensions not only northwestward to the Rockies but to the Pacific. The return made to Spain was the insignificant kingdom of Etruria and a solemn pledge that, should the First Consul fail in his promise, Louisiana in its fullest extent was to be restored to Spain. France therefore might not otherwise alienate it to any power whatever. The exacting and suspicious spirit shown both by Charles IV. and his contemptible minister Godoy, Prince of the Peace, had exasperated Bonaparte beyond endurance. The Spanish Bourbons were doomed by him to the fate of their kinsfolk in France; a pledge to a vanishing phantom of royalty was of small account. It was during the delay created by the punctilio of Godoy that the failure of the San Domingo expedition extinguished all hope of making Louisiana the sole entrepôt and staple of supplies for the West Indies. And simultaneously it grew evident that the truce negotiated at Amiens as a treaty could not last much longer, that either France must endure

the humiliation of seeing her profits therefrom utterly withheld, or herself declare war, or goad Great Britain into a renewal of hostilities. This last, as is well known, was the alternative chosen by Napoleon.

Our government had been in despair. The establishment of French empire in the West Indies would have destroyed our lucrative trade with the islands. It was trying enough that a feeble power like Spain should command the outlet of the Mississippi basin, but intolerable that such a mastery of the continent should fall into the hands of a strong and magisterial power like France. We were in dismay, even after the departure of the French from San Domingo. Bonaparte, however, was scarcely less disturbed; for Jefferson, despite his avowed Gallicism, spiritedly declared both to the First Consul and to Livingston, our minister to Paris, that the occupation of Louisiana by the great French force organized to that end could only result in an alliance of the two English-speaking nations which would utterly banish the French flag from the high seas. Bonaparte preserved an outward calm for those about him and went his way apparently unperturbed. But inwardly his mind seethed and without long delay he took his choice between the courses open to him. It was the first exhibition to himself and his family of the imperial despot soon to be known as Napoleon I., Emperor of the French. If Britain was the tyrant of the seas, he would be despot of the land. To French empire he would reduce Germany, Italy, and Spain in subjection, and with all the maritime resources of the continent at his back he would first shut every important port to English commerce, and then with allied and dependent fleets at his disposal try conclusions with the British behemoth for liberty of the seas and a new colonial empire. By the second camp at Boulogne and the occupation of Hanover Napoleon threw England into panic, while simultaneously he began the creation of his grand imperial army and thereby menaced Austria, the greatest German power, in her coalition with Russia, Sweden, Naples, and Great Britain. The latter, he was well aware, could face a hostile demonstration on her front with courage, if not with equanimity; and he determined to add a double stroke—to gain a harvest of gold and on her rear to strengthen her exasperated transatlantic sea-rival by selling Louisiana to the United States.

That determination was the turning-point in his career, just as the sudden wheel and about-face of the splendid force at Boulogne, when he hurled it across Europe at Vienna, displayed at last the turning-point in his policy. His brother Lucien had been an influential negotiator with Spain and plumed himself on the acquisition

of the great domain which had been for long the brightest jewel in the crown of France. His brother Joseph had negotiated the treaty of Amiens as a step preparatory to regaining a magnificent colonial empire for his country, an empire of which an old and splendid French possession was to be the corner-stone. Both were stunned and then infuriated when they learned their brother's resolution, sensations which were intensified to fury when they heard him announce that he would work his will in spite of all constitutional checks and balances. There is no historic scene more grotesque than that depicted by Lucien in his memoirs when he and Joseph undertook to oppose Napoleon. The latter was luxuriating in his morning bath on April 7, 1803, in the Tuileries when the brothers were admitted. After a long and intimate talk on general politics the fateful subject was finally broached by Napoleon, as he turned from side to side and wallowed in the perfumed water. Neither of the brothers could control his feelings, and the controversy grew hot and furious from minute to minute until Joseph, leaning over the tub, roared threats of opposition and words of denunciation. Brother Napoleon, lifting himself half-way to the top, suddenly fell back and clenched his arguments by splashing a full flood in the face and over the body of Joseph, drenching him to the skin. A valet was summoned, entered, and, paralyzed by the fury of the scene, fell in a dead faint. New aid was called and, the fires of passion being slaked for the time, the conflict ended until Napoleon and Joseph were decently clothed, when it was renewed in the office of the secretary Bourrienne. Ere long hot words were again spoken, violent language was succeeded by violent gestures, until at last Napoleon in a theatrical rage dashed his snuff-box on the floor, and the contestants separated. Disjointed and fierce as was the stormy argument, it revealed the whole of the imperial policy as we have stated it.

Meanwhile events in America, if not so picturesque and majestic, were equally tempestuous. The peace policy of Jefferson was rapidly going to pieces in the face of a westward menace, the Federalists were jubilant, and in the Senate James Ross, of Pennsylvania, called for war. When the intendant of Spain at New Orleans denied Americans the storage rights they had enjoyed in that city since 1795, the French politics of the President fell into general disrepute and contempt, for men reasoned *a fortiori*, if such things be done in the green tree, what shall be done in the dry? It mattered not that Spain's highest official, the governor, disavowed the act, the fire was in the stubble. The intendant was stubborn and the fighting temper waxed hot. Both the governor and the Spanish envoy

at Washington disavowed the act again and rebuked the subordinate. Congress was soothed, but not so the people of the west and south. They were fully aware, as have been all our frontiersmen and pioneers from the beginning, that the Mississippi and all the lands it waters are the organic structure of unity and successful settlement on this continent. The Pacific and Atlantic coast strips, even the great but bleak valley of the St. Lawrence, are incidents of territorial unity and political control compared with the great alluvion of the Mississippi. This was unknown, utterly unknown, and worse yet, entirely indifferent to our statesmen. Madison certainly, and possibly Jefferson, believed that western immigration would pause and end on the east bank of the Father of Waters.

Yet party government was a necessity under our system, and Jefferson's ladder, the Republican party, would be knocked into its component parts should the West and South, noisy, exacting, and turbulent, desert and go over to the expiring faction of the Federalists; nay worse, it might be forced into almost complete negation of its own existence by a forced adoption of the Federalist policy, alliance with Great Britain—monarchic and aristocratic—rather than with radical and democratic France. What could a distracted partizan do? Jefferson was adroit and inventive. He sent James Monroe to negotiate with Bonaparte for the purchase of New Orleans and both Floridas at the price of two millions, or upward to ten, for all or part, whatever he could get; he was not even to disdain the deposit or storage right, if nothing else could be had, and if he could get nothing, he was to await instructions. With such credentials he sailed on March 8, 1803. A peace-lover must sometimes speak low and small, even as cowards sometimes do. Three weeks later appeared in New Orleans Laussat, the advance agent of French occupation; Victor and his troops were to follow. It is not possible to conceive that a foreign policy should be more perplexing, confused, or uncertain than that of the philosophic theorist who is the hero of the strict-constructionist party in these United States.

Robert R. Livingston, the regular American envoy at Paris, had, under his instructions from home, worked with skill and zeal on the spoliation claims and incidentally on the question of the Mississippi and the Floridas. While the colonization schemes of Bonaparte seemed feasible, Livingston made no headway whatever, except to extort an admission that the spoliation claims were just. Neither Talleyrand nor Livingston was much concerned about the great northwest. The American was clear that the importance of any control lay in the possession of New Orleans, and on April 11, 1803, he said so to the French minister, vigorously and squarely declaring

further that a persistent refusal of our request would unite us with Great Britain to the serious discomfiture of France in her colonial aspirations. This was said with some asperity, for Livingston had been aware that the First Consul wanted all negotiation transferred to Washington under the guidance of a special envoy sent for the purpose, the wilful Bernadotte, and now worse yet, he himself was to be superseded by Monroe. He had been a diligent and even importunate negotiator; it was a ray of comfort in later days to recall that the first suggestion for the sale of all Louisiana was made to him in that momentous interview.

What had occurred Livingston could not know. It was this. On the morning of that very day there reached the Tuileries despatches giving in full detail an account of the tremendous preparations making in England for the renewal of war both by land and sea. Bonaparte's impatience knew no bounds. Hitherto he had concealed his true policy of sale behind a scheme to spend the purchase-money on internal improvements in France, and he had on his work-table map-outlines for five great canals. Now, at daybreak, he summoned Barbé-Marbois, sometime French consul-general in the United States, an official of state with a thorough knowledge of our affairs, and ordered that a negotiation for the sale, not of the Floridas and New Orleans, but of all Louisiana, should immediately be opened with Livingston. He fixed the price at fifty million francs. The envoy could of course do nothing, but he thought thirty millions enough. Next day Monroe arrived at Havre, and reaching Paris April 13, that very same day Barbé-Marbois and our two great statesmen began to treat. Upon Monroe and Livingston devolved a momentous responsibility. Monroe was by a most indefinite implication left a certain liberty, for under no circumstances whatsoever was he to end a negotiation if once it was begun. And here, instead of minimizing terms, was, so to speak, a great universe of land tender. But we had not so easily thrown off the bright and glistening garment of righteousness as had Napoleon Bonaparte, and in the minds of both Americans was the question, non-existent for the First Consul, as he himself squarely said, of whether the inhabitants of the district, men and women, human souls, could be dealt in as chattels are.

Livingston had already seen darkly as in a glass what the west might make of the United States. Bonaparte's contributions to the discussion were terse and trenchant. If he did not transfer the title right speedily, a British fleet would take possession almost in a twinkling: the transfer, he said, might in three centuries make America the rival of Europe; why not, it was a long way ahead; but, on the

other hand, there never had been an enduring confederation, and this one in America was unlikely to begin the series; finally, he wanted the cash as the United States wanted the land. Let there be no delay. And there was none. The terms of the sale and the facts of the transfer do not concern us here. In Bonaparte we had no friend; but what the ancient régime began in establishing an American independence, the First Consul completed; for, thanks to him, we fought the War of 1812 for commercial liberty, while the exploitation of Louisiana has made us what we are to-day. The instant we accepted that great territory, with all its responsibilities and possibilities, we became a world power. We were puny enough as a world power at first, but we have grown. Jefferson and his agents were primarily statesmen for the purpose of existing conditions, and in Monroe's mission desired a remedy solely and entirely for party evils. They had, however, the courage to accept the fortune forced upon them, even though in their case, as in that of Bonaparte, it entailed, we repeat, a complete reversal of all the political and party principles of the platform on which they had hitherto stood.

The change wrought by the Louisiana purchase in American life and culture was simply revolutionary. Hitherto in our weakness we had faced backward, varying between two ideas of European alliance. We virtually had British and French parties. Jefferson, who represented the latter, thought of no other alternative in his trouble than to strike hands with England. With Louisiana on our hands we turned our faces to our own front door. The Louisiana we bought had no Pacific outlet in reality, but the Lewis and Clark expedition gave it one, and that we have broadened by war and purchase until we control the western shore of the continent. Under such engrossing cares we ceased to think of either French or British ties, except as exasperating, and became not merely Americans, but, realizing Washington's aspirations, turned into real continentals, with a scorn of all entanglements whatever. In the occupation and settlement of Louisiana the slavery question became acute, and it was the struggle for the expansion of that system over Louisiana soil which precipitated the Civil War.

But if the change in national outlook was radical, that in constitutional attitude was even more so. The constitutions of our original states were the expression of political habits in a community, the Federal Constitution was in the main a transcript of those elements which were common in some degree to all the British colonies. It was an age of written constitutions, because the flux of institutions was so rapid that men needed a mooring for the substantial gains they had made. The past was so recent that statesmen were timid,

and they wanted their metes and bounds to be fixed by a monument. Nothing was more natural than to pause and fall back on the record thus made permanent, and strict construction was and long continued to be a political fetish. The Louisiana purchase was a circumstance of the first importance in party struggle. Yet neither Federalist nor Republican dared, after mature deliberation, to urge the question of constitutional amendment as essential to meet the crisis thus precipitated. The enormous price entailed what was felt to be an intolerable burden of taxation, and in the uproar of spoken and printed debate played no small part. But the vital question was whether the adjustment of new relations was constitutional.

Never did the kaleidoscope of politics display a more surprising reversal of effect. The loose-construction party lost its wits entirely, while the strict constructionists suddenly became the apostles not of verbal but of logical construction. Jefferson violated his principles in signing the treaty, but he was easily persuaded that amendment was not necessary, that on the contrary the treaty-making power covered the case completely. This was not conquest, which would have been covered by the war power, but purchase, which is covered by the treaty power surrendered, like the other, by the states to the federal government. The Federalists were represented in the House by Gaylord Griswold; in the Senate by Ross and Pickering. Their resistance was identical in both, factious to the highest degree. They contended that the executive had usurped the powers of Congress by regulating commerce with foreign powers and by incorporating foreign soil and foreign people with the United States, this last being a power which it was doubtful whether Congress possessed. Supposing, however, that New Orleans became American, how could a treaty be valid which gave preferential treatment to that single port in admitting French and Spanish ships on equal terms with those owned by Americans? The treaty, they asseverated, was therefore unconstitutional and, even worse, impolitic, because we were unfitted and did not desire to incorporate into our delicately-balanced system peoples different in speech, faith, and customs from ourselves. They were, however, only mildly opposed to expansion; they were determined and captious in the interpretation of the Constitution. The party in power were avowedly expansionist; their retort was equally dialectic and vapid. The whole discussion would have been empty except for Pickering's contention that there existed no power to incorporate foreign territory into the United States, as was stipulated by the treaty. The House had resolved, 90 to 25, to provide the money and had appointed a committee on provisional government; the Senate ratified the treaty, 26 to 5.

What made the debates and action of Congress epochal was the Federalist contention that Thomas Jefferson as provisional and interim governor was nothing more or less than an American despot in succession to a Spanish tyrant. Where was the Constitution now; where would it be when in appointing the necessary officials—executive, judicial, and legislative—he would usurp not merely Spanish despotism but the powers of both the other branches of the federal government? The Republicans quibbled, too; to appoint these three classes of officials was not to exercise their powers. But they confirmed in unanswerable logic a distinction thus far only mooted in our political history—that between states and territories. Already presidential appointees were exercising all three powers in Mississippi and Indiana. This clenched the contentions of the Republicans, and the bill for provisional government passed by an overwhelming vote on October 31. Both parties throughout the struggle had tacitly abandoned the position that Congress possessed merely delegated powers and nothing further except the ability to carry them into effect. Both therefore admitted the possible interpretation of the Constitution under stress of necessity, and the Federalists in their quibbling contentions lost hold everywhere except in New England. That section saw its influence eclipsed by the preponderance of Southern and Western power and ere long was ripe for secession.

Volumes have been written and more will be on the romance of the Louisiana purchase; Josiah Quincy threatened the dismemberment of the Union when the present state of Louisiana was admitted in 1812; but for Jefferson's wisdom in exploration it might have remained a wilderness long after settlement began; Great Britain coveted it in 1815 when Jackson saved it; Aaron Burr probably coveted an empire within it; Napoleon III. had dreams of its return to the new France he was to found in Mexico. Excluding the Floridas, which Spain would not concede as a part of it, and the Oregon country, the territory thus acquired was greater than that of Great Britain, Germany, France, Spain, Portugal, and Italy combined. Its agricultural and mineral resources were, humanly speaking, inexhaustible. No wonder it excited the cupidity as it stirred the imagination of mankind: no wonder if men avid to retain their power were dismayed at the preponderance it was sure to exert eventually in a federal union of states. At the present moment fourteen of our commonwealths, with a population of about 16,000,000 and a taxable wealth of seven billions occupy its soil. By the time we are fifty years older, at the present rate of settlement, these will contain about a third of the power in the Union as determined by numbers and pros-

perity. All of them, however, were never more than administrative districts, and by the retroactive influence of this fact state sovereignty has thus been made an empty phrase.

And this leads us to our final contention. If the Louisiana purchase revolutionized our national outlook, our constitutional attitude, and our sectional control, it has quite as radically changed our national texture. From that hour to this we have called to the masses of Europe for help to develop the wilderness, and they have come by millions, until now the men and women of Revolutionary stock probably number less than 15,000,000 in the entire country. These later Americans have, like the migrations of the Norsemen in central and southern Europe, proved so conservative in their Americanism that they outrun their predecessors in loyalty to its essentials. They made the Union as it now is, in a very high sense, and there is no question that in the throes of civil war it was their blood which flowed at least as freely as ours in defense of it. It is they who have kept us from developing on colonial lines and have made us a nation separate and apart. This it is which has prevented the powerful influence of Great Britain from inundating us, while simultaneously two English-speaking peoples have reacted one upon the other in their radical differences to keep aflame the zeal for exploration, beneficent occupation, and general exploitation of the globe in the interests of a high civilization. The localities of the Union have been stimulated into such activities that manufactures and agriculture have run a mighty race: commerce alone lags, and no wonder, for Louisiana gave us a land world of our own, a home market more valuable than both the Indies or the continental mass of the east.

WILLIAM M. SLOANE.

DOCUMENTS

1. *The Interment of William Lovelace, New York, 1671.*

THIS description of funeral solemnities in New York is of interest as presenting one of the earliest pictures of the social customs in the colony during the first decade of the control of the English, and is the only one of this character.¹

The pomp of the ceremony was due doubtless to the relationship with the family of the governor and also to the position of the two brothers Thomas and Dudley Lovelace in the colony. They held military offices in New York, and their names appear among the three signatures to the "Exact Account of all the Proceedings of the military officers of Fort James, from 28 July, 1673, to the surrender of the fort", which is in the Colonial Papers, Vol. XXX., number 52. Thomas Lovelace was one of the three men sent to the Dutch vessel to demand the cause of its coming into the harbor, and Dudley, together with Captain Manning, was in charge of the fort at the time of its surrender. References to both Thomas and Dudley appear in O'Callaghan's *Calendar of Historical Manuscripts*, II. As late as 1685 Thomas Lovelace was sheriff of Richmond county.

The document is among the Ashmolean Manuscripts in the Bodleian Library, Oxford, Volume 846, folio 54, number xi, and is written on both sides of a quarto sheet of seventeenth-century paper, in the hand of the period. It appears to be a memorandum of the occurrence, probably written in New York and sent or taken to England later, but by whom or under what circumstances there is no evidence. Neither is it clear how it came into the possession of Elias Ashmole, nor why it should have been bound in this volume, as it seems to have no relation to the documents on pedigrees, descents, and rolls of nobility there found. However, the papers

¹ This document will throw considerable light on the vexed question of the Lovelace genealogy. See *Lucasta. The Poems of Richard Lovelace, Esq., now first edited, and the Text carefully Revised. With some account of the Author*, by W. Carew Hazlitt, London, 1864, xii ff.; 218, note; 227, note; "Colonel Francis Lovelace and his Plantation on Staten Island", by Edward C. Delavan, Jr., in *Proceedings of the Natural Science Association of Staten Island*, Vol. VII., No. 15, pp. 47-79, March 10, 1900; "Lord Lovelace and the Second Canadian Campaign, 1708-1710", by General James Grant Wilson, in *Annual Report of the American Historical Association for 1891*, 269-272.—ED.

in this volume, as in many others of the Ashmolean collection, are of a miscellaneous character, treating of medicine, ecclesiastical rents, affairs of the exchequer, and other subjects. This fact doubtless explains why such a unique document should have been overlooked heretofore.

SUSAN M. KINGSBURY.

The ffuneral Solemnities at the Intern^t of M^r W^m Lovelace at New Yorke in America 1671.

The manner of Exposing the Corps in the Roome before the Buriall

1—The Roome was very spacious and hung all about wth Mourning and Escotcheons thereupon of his Peternall Coate to the number of 30.

2—Round the sayd Roome were placed Turkey worke chayres richly wrought.

3. In the Middest of the Roome stood the Hearse with Sheete and Pall encompassed with 8. of his Paternall Escotcheons.

4. At the head a Pall of deaths heads and bones richly embroidered hung over as a Canopy.

5. Over the middle of the Herse a rich Garland hung adorn'd with black and white Satten ribbands and an houre Glasse impending.

6. At the ffeete a sheild 4 foote square cotes of Armes quartered and gloriously gilt which together wth the Garland remaines as a monument in the Church to this day.

7. Round the hearse stood A black stand with Silver Candlestick wax Tap's and p'fumes burning night and day to the view of all people.

8. A Rich Cupbord of Plate worth 200^l

9. 4: Attendants night and day.

10. The Partall or entry to the Roome was curiously adorned wth pictures Statues and other fancies in carved worke.

The ffuneral Procession.

1. The Capt: of the dead.

2. The Minister.

3. An Esq^r in mourning carrying the Sheild.

4. The 2: Preaching Ministers.

5. Two Maidens clothed in white silke carrying the Garland wth Cyprus Scarves and Gloves tyed with a whole peice with black and white Satten Ribband.

6. The Corps carryed by 6. Gentlemen Batchelers all in Mourning, with Skarves and Gloves.

7. The Pall held up by 6. virgins all in white Silke wth Cyprus Skarves and Gloves.

8. Tho: Lovelace Esq: father to the deceased and his Lady in close Mourning.

9. 4. Halbertes with velvet Coates and Badges thereon embroidered with his Creast of 40^l a Coate.

10. Coll: ffancis Lovelace p'sent Governo^r of New Yorke and uncle to the deceased in close Mourning single.

11. Capt: Dudley Lovelace uncle also to the deceased in like mourning single.

12. The Councell all in Mourning.

13. The Mace with Maior and Aldermen in their black Gownes

14. The Principall Burgers of the Citty 2: and 2.

15. All the English and Dutch Women 2: and 2.

16. The cheife English and Dutch Men. 2 and 2.

17. All Masters of Shippes and Vessells.

18. All the other English and Dutch men. 2. and 2. to the number of 500. the greatest p't of them in black.

Wines sweet meats and Bisketts and such Services till 10. at night.

At the entrance of the ffort stood his Royall hignesse's Company of Guards with Colours furl'd Drūms beating a ffuneral March and afterwards severall great Gunns fired thence.

At the Intern^t of the Corps 30. peices of Ordnance more fired.

2. *A Letter of Benjamin Franklin, 1775.*

THE following letter of Franklin was discovered by me in a volume of the Continental Congress Papers containing "Letters of John Hancock and Miscellaneous Papers". Franklin had acknowledged the receipt of the Petition to the King in a letter to Thomson, dated February 5, 1775, a letter which was unsigned, and is now among the so-called Thomson Papers in the New York Historical Society. This second letter on the Petition, also unsigned, has escaped notice, although it is wholly in Franklin's well-known writing. Even the clerk in the Secretary's office who at a later day indorsed or docketed the paper was strangely ignorant of its origin, for he wrote: "Letter, March 19, 1775. Anonymous from London to C: Thomson, Esq." Indeed the year of the indorsement looks more like 1795 than 1775. The original is in the Papers of the Continental Congress, Volume 58, folio 343, now in the Library of Congress.

WORTHINGTON CHAUNCEY FORD.

BENJAMIN FRANKLIN TO CHARLES THOMSON.

LONDON, March 13, 1775

Dear Sir,

I have some Thoughts of going with Osborne¹; but as I may be disappointed in that, I write a few Lines, to acquaint you, that the Petition of the Congress has lain upon the Table of both Houses ever since it was sent down to them among the Papers that accompany'd it from above, and has had no particular Notice taken of it; our Petition to be heard in support of it, having been, as I wrote you before, rejected with Scorn, in the Commons; which must satisfy the future Congress that nothing is to be expected here from that Mode of Application.

¹ Captain Osborne, of the *Pennsylvania Packet*, with whom Franklin went to Philadelphia later in this month.

Nearly all the manufacturing and trading Towns that are concern'd with America have now petition'd Parliament to do something for healing the Differences that threaten Ruin to their Commerce. Administration, which has appear'd to stagger several times within these two Months, must have given way before this time ; but have been supported chiefly by Accounts from America that all was fluctuating there, and that a little longer Perseverance would triumph over the Factions, as they are called, and bring the whole Continent to full and *unconditional* Submission. A Bill has therefore pass'd the Commons, to deprive New England of its Fishery, as well as its Trade, and a new Bill is ordered in, to extend the Restraints on Trade to New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina. Of New York they have great Hopes, and some of North Carolina, which Colonies are therefore omitted. All the Colonies, but those of New England, it is given out, may still make Peace for themselves, by acknowledging the Supreme unlimited Power of Parliament: But those are absolutely to be *conquered*: After which possibly they may obtain a Quebec Constitution. — More Troops are accordingly preparing to go over. — And yet with all this *Face of Resolution*, it is certain that the Ministers are far from being cordially united in these Measures ; that some of them tremble for their Places, and all for the Event as it relates to the Publick. While wise Observers are confident, that if America can hold strictly to its Non Consumption Agreement another Year, it is impossible they can stand the universal Clamour which begins to thicken round their Heads, and that they must therefore be overthrown, and routed ; and the Friends of America come into Administration. It is indeed evident that the present Set are apprehensive of this, since, to secure themselves against the Danger of Impeachment, they take care in every Step to get Parliament to *lead* and *advise* the Measures to be taken: Contrary to the ancient Practice of the Executive Power in taking its Measures as Occasion requir'd, and depending on their Rectitude for the future Approbation of Parliament.

I flatter myself that neither New York nor any other Colony will be cajol'd into a Separation from the common Interest. Our only Safety is in the firmest Union, and keeping strict Faith with each other. If any Colony suffers itself to be detach'd from the common Cause by the artful Management of Ministers, that Colony will first incur the Detestation of the rest ; and when that is become the Case, and none can be concern'd at any ill Usage it may receive, it will on some Pretence or other be treated just as roughly as the others whom it had so basely abandon'd.

With great Esteem, I am, Sir, Your Most

obedient humble Servant

[B. FRANKLIN.]

Charles Thompson Esq^r

3. *William Jackson on Conditions in France, 1794.*

WILLIAM JACKSON, the writer of this letter, was born in England in 1759, but was brought to Charleston, South Carolina, when a

child. He served in the Revolutionary army until 1781, when he accompanied John Laurens as secretary on his special mission to France. On his return he was on General Washington's staff for a short time, and was then appointed assistant secretary of war, 1782-1783, under General Lincoln. At the close of the war he visited Europe again, and shortly after his return was made secretary to the Federal Convention of 1787. He served as President Washington's private secretary during his first administration and then spent two years in Europe, the accompanying letter being written during this period. On his return he was appointed surveyor of the port of Philadelphia, an office which he held until his removal by Jefferson in 1806. He died in Philadelphia in 1828.

The original letter, fifteen pages in length, is now in the State Department, Bureau of Indexes and Archives, Despatches, England, Vol. 3. It was sent to Edmund Randolph from London by Thomas Pinckney, then our minister to England, who says in his despatch of May 5, 1794:

Major Jackson wrote me a letter from Paris containing information relating to the situation of affairs in France. You have undoubtedly the most accurate intelligence on that subject, but as it is possible this letter may contain some details you have not before seen I send it for your perusal.

WILLIAM JACKSON TO THOMAS PINCKNEY.

PARIS, April — 1794.

My dear Sir,

Having received no acknowledgement of four letters which I have written to you since my arrival in France, I conclude they have not reached you — Discouraging as this supposition is, I have determined once more to attempt a transmission of such intelligence as I suppose may be personally interesting to yourself, and, through you, useful to our Country.

France at this moment exhibits such scenes as the pencil of Salvator-Rosa would have been well employed to delineate — abounding in light and shade, which is at once splendid and awful. To use the language of a more modern artist, and one fonder of *gilding* than Salvator, France is in truth "an armed Nation" — her firmness and exertions seem well proportioned to the resistance, which her situation requires, and far exceed the expectation, which our limited acquaintance with the power and resources of such a Nation, resolved to be free, could have excited.

No longer resembling Venus attended by the Graces, she now represents Minerva followed by the Fates.

You must pardon this imagery, it is really necessary to convey an idea of facts, or to describe the change, which has here taken place — indeed it is only by what, in common parlance, would be considered as extravagant hyperbole, that one can express the situation of this most extraordinary People.

Wherever you move, or to whatever quarter your attention is turned, nothing meets the view but warlike preparation — Every consideration is sacrificed to public exigence, every contribution of property or service, which the public necessity requires, appears to be cheerfully made, and in the few instances, where reluctance may exist, terror supplies the absence of patriotism, and operates its full effect—¹

Age and infancy are employed in extracting from the earth (and, by a late refinement in chemistry, from vegetables) the thunders which youth and manhood are to direct,² while the cares of domestic life are entirely devolved on the female part of the society.

Fifteen armies, forming a force, which I do not think exaggerated, of 1200,000 men,³ are now in the actual service of the Republic — and it has been surmised that a part of the second requisition would be made before the opening of the campaign.

Should this additional effort be deemed necessary, the coalesced nations of Europe must unquestionably yield to the momentum of an individual power, exceeding in numbers and array all that the world has hitherto exhibited.

Perplexed by the variety of interesting objects, which attract my attention, I am really at a loss where to begin in giving you the details of these formidable preparations.

The first requisition has been carried into complete effect, that is to say all the unmarried men of this extensive nation from the age of 18 to 25, whatever their situation or fortune (for neither money nor substitutes would exempt them from service) have joined the several armies of the Republic which they have augmented with a force of 600,000. — These levies have been incorporated with the ancient corps, and have been under a strict discipline for several months.⁴ The Cavalry has been so considerably encreased as to require that the swords exceeding thirty

¹ *Le Moniteur Universel* for February 2 and 3, 1794, contains a report by Barère in which an account of this warlike activity is given with much spirit. Cf. also Taine, *Revolution*, III. 54-56, and von Sybel, *French Revolution* (Perry's translation, London, 1869), III. 312.

² Barère's report, cited above, contains a full account of this manufacture of gun-powder. Evidently it was an important subject, for the *Moniteur* contains many reports of the manufacture of saltpeter in various parts of France. Cf. also Ure's *Dictionary of Arts, etc.* (edited by Hunt), under potash, nitrate of, where is found the statement that 2,000 tons of saltpeter were annually produced in France from artificial niter beds.

³ In the report of Barère, cited above, is the exclamation, "Une trêve avec douze cents mille républicains sous les armes!" In Jomini's *Histoire des Guerres de la Révolution* (Brussels, 1840), I. 9, is a table purporting to give the strength of the French armies on April 15, 1794. In the text the author states that there were nearly 1,200,000 soldiers but only about "700,000 combattants étaient en situation de prendre partout l'offensive". Von Sybel, however, does not believe that the French forces were nearly so large as represented; he places the total at the end of 1793 at 600,000 and the next spring at 871,000. *French Revolution*, III. 209 and note; 317 and note.

⁴ This was the decree of August 23, 1793. Von Sybel does not believe that this new levy was so readily incorporated in the old corps. By the decree of November 22, 1793, some of the difficulties attendant upon the levy were provided for. Von Sybel, III. 306-309; 311-313. Cf. Taine, III. 56.

inches in blade should be taken from the Infantry for their use. The augmentation is upwards of 50,000, and the remounted exceeds 30,000 — The whole force in Cavalry being at least 100,000 — So that in this arm, which, during the last campaign, was the weakest part of their composition, I am persuaded the french will be superior to the allies.¹ The artillery, so formidable in the last campaign, has received an addition of two thousand pieces for field service, and, judging from its former effect, must I think be absolutely irresistible.

The fuel which is to nourish this immense volcano, is, as I have already intimated to you, prepared by those hands, which are otherwise unable to serve their country — and, under the direction of persons, skilled in the process, saltpetre is produced in astonishing quantity — I have daily opportunity of observing its product in the several sections of Paris, and the operation is the same throughout the Republic.²

The public founderies and manufactories of small arms aided by the mechanics, who work in metals, and who for this purpose are all in requisition, are constantly employed, and furnish immensely.³

And yet amidst all this din and preparation of arms the Country is more carefully and extensively cultivated than in any former period — You will ask by whom? By old men, by women, and the youth of both sexes under the age of 18 — This I can assure you, from personal observation, wherever I have travelled not a single spot is neglected — the very avenues and approaches to the Chateaux are ploughed — even the walks of the Tuilleries are sown and planted — and no country presents a more promising appearance, in agriculture, than France does at this moment.

It has become a public care with the several Municipalities to plant those grounds, which were formerly appropriate to pleasurable purposes, with useful vegetables and to this end regular institutions are established —

The value of the potatoe is known and sufficiently appreciated to remove every apprehension of want — Indeed so promising is the grain now in the ground that I am persuaded, from my information of the present state of their granaries, the quantity on hand and the ensuing crop will furnish an advance of provision for at least two years.

You may be assured the idea of starving France is as unfounded as it is inhuman — The variety of soil and climate in this extensive country reduce the chance of a general failure in their crops to a very remote possibility, and the invigorating energies of property and freedom have more than balanced the deductions from their agriculture occasioned by the call of their Peasantry to the frontiers — Indeed a very considerable proportion of their farming was always done by the Women of France, who still continue to cultivate the ground.

Take a single illustration of my supposition that their granaries are

¹ See von Sybel, III. 309. In *Le Moniteur Universel* for January 20, 1794, is found the decree providing for the transfer of the long sabers.

² See page 527.

³ See Barère's report, cited above. Cf. also Taine, III. 56.

well stocked — the price of bread in Paris at this moment is not half as much as in London — True it is browner, but it is equally nutritious.

Extensive manufactures of useful fabrics continue to flourish, and even the most refined articles of luxury are not neglected — Of the former I have attentively observed the cloth manufacture at Abbeville, which is in full vigour — and of the latter I have visited the Gobelins, where the most exquisite productions of the needle and the shuttle still continue to charm and astonish. This last is continued as a public establishment —

Even the palaces and pleasure grounds of the *ci-devant* royalty are respected as national property, and as such are carefully preserved. The greater part of the furniture has been removed from Versailles — some of the paintings remain — Those by the best Masters have been sent to the gallery of the Louvre, which is now the National museum, and exceeds in exhibition any other collection in Europe. It is under the direction of a Committee appointed to protect the fine arts, and is maintained in the very best style.

The late Queen's favorite residence of St Cloud remains as when she occupied it — The paintings will be sent to the museum, and the furniture will be sold.

In remarking on the agriculture and manufactures I have digressed from the subject of the public force to which I return.

The operations of the northern army appear to engage the greatest degree of attention, and, from its composition as well as its situation, this part of their force seems destined to the most arduous and important service.

Including the detachments on the side of Dunkirk and the garrisons, which, without risk to their posts, may be called into field service with the main body, I do not suppose this army amounts to less than 254,000 men — composed nearly in the following manner.

Brigaded Infantry	170,000
Light Corps	20,000
Cavalry	44,000
Brigaded Artillery	15,000
Artillery attached to Corps	5,000
	254,000 ¹

In addition to this immense force, no less formidable by the decided superiority of their artillery, the improved state of their discipline, arms, and oeconomical arrangements of supplies, than by their numbers, the army of the Moselle, which may be estimated at 70,000, may, by a rapid movement to its left, be brought into full co-operation, and at a very short notice, with the army of the North — for experience has demonstrated that they are capable of forming these sudden junctions by transporting their troops in carriages.

¹ Jomini places the strength of this army at the end of March, 1794, at "plus de 160,000 hommes disponibles". *Guerres de la Révolution*, II. 10. Von Sybel estimates it at 148,000, exclusive of the 74,000 men in the fortresses that protected the position of the army. *French Revolution*, III, 317.

That they are disposed to effect whatever a profuse application of money can accomplish, must be admitted—and that the means are in their power cannot be denied.

Their treasury is at this time by far the richest in Europe—perhaps more abundant than all the rest of Europe—and immoderate as their explanation appears, the sources of their supplies seem but to encrease with the streams that flow from them—The taxes that are now collected, with the donations, church property, and money received for Emigrants estates, form altogether a most inordinate mass.¹

On this subject it is also fair to remark that the Persons, who direct their fiscal arrangements, have been long enough in office to give to them all the advantages that result from method and established order—Of this a very strong proof was given some days ago by Cambon in his report on the state of their finances—He therein asserts (which unfoundedly he dared not to do) that a diminution had been effected in their expenditure of 170 millions per month—leaving the actual disbursement about 54 millions sterling [per] annum.²

Enormous as this sum may appear it is not immoderate compared with their resources—for, however extraordinary, it is true that, including the estates of the crown, the clergy, and the Emigrants one third part of the whole property of France is in confiscation—Such had been the tendency of the ancient regime to absorb and concentrate the national wealth in the hands of a few.

This fact is well understood by the men of property who have remained in France, and the reflections, which arise from it, have fully decided them to go with the revolution and to support it at all hazards. They are now aware of the worst that can happen to them under the republic, and they know full well that the confiscated property is more than competent to the expences that have been, or may be incurred to maintain the war—Whereas a counter-revolution would not only place the expences of the war to the charge, but prostrate the remainder of their property to the indemnity of those who have emigrated.

These influential considerations of property by which the more wealthy part of the people, now in France, are actuated, aided by the enthusiasm of some, the fears of others, and the resentments of all against their external enemies, have not only subdued the spirit of revolt, and condensed the public opinion in favor of the revolution, but appear to me to have decided the nation literally to adhere to their declaration to “live free or die.”

This reasoning, on a first view, may seem to be somewhat dogmatic—but compared with facts, and analysed by the test of experience, it will I think be found as true, as it may seem positive.

¹ Cf. von Sybel, III. 226–234.

² Cambon made an announcement in the Convention as follows: “Eh bien! le résultat des dépenses contre lequel nous nous élevions avec raison avant que le gouvernement eût un point central s'élevait de 390 à 400 millions par mois; il ne donne plus que 170 à 180 millions.” *Le Moniteur Universel*, March 24, 1794, page 742. Cf. von Sybel's comments, *French Revolution*, III. 310–311.

I would now state the respective strength and composition of the other armies of the Republic — but as their operations are not likely to be equally interesting or decisive with that of the North, I have been at less pains to obtain particular information respecting them: That which is intended to act against Spain, will, I think, be the next efficient in force, and impressive in its operations.

The direction of their military measures is said to be confided to a Committee of Officers of high professional talents, and distinguished service — Two of them I understand will go to the army of the North — the others will remain in Paris.

Besides this Board of Officers there are Commissioners from the Convention with each of the armies, who superintend the oeconomy of their staff arrangements, and watch over their supplies.¹

A controuling authority that may be termed absolute is vested in the Comité de Salut-Public, which is composed of the following Members, classed according to the influence which I think they respectively possess, Robespierre, Billaud de Varennes, Couthon, S^t Just, Barerre,² Jean Bon S^t André, Collot d'Herbois, Cambon, Carnot, Lindet, and Prieur.

Robespierre is certainly the apex of this pyramid — Barerre, in point of talents, may be regarded as its ablest support, — Lindet, whose application is distinguished where all are unremitting, is the Member, to whom the department of subsistence is devolved — S^t Just is very eloquent and impressive with the Convention — Jean Bon S^t André has been selected, for his energy, to regenerate their marine, and is now at Brest —

It is said that Billaud de Varennes and Carnot are to go to the army of the North — Collot d'Herbois and Couthon are very influential with the popular Societies — Prieur is less distinguished than either of his Colleagues.

The removal of Danton, La Croix,³ and the other Deputies, who were executed with them, and the extinction of Hebert's² party, will give a stability to the power of this all influential Body, which nothing will be able to shake, and will enable them to call forth the remaining resources of this inexhaustible people, and to direct the application of them, if possible, more efficiently than they have yet done.

Since the recovery of Toulon the Marine has obtained great attention, and will, it is said, within a short time, be very respectable

Regulations for the government of the Navy, calculated to invigorate the discipline, have been lately enacted by the Convention, and are now in force — Every sea faring person, including the fishermen, are in requisition for public service.³

Viewed in the light I have here placed it, the picture of France is pleasing and splendid — but there are shades, which abstract from its beauty, and which a regard to truth makes necessary to confess, and to

¹ See decree of April 30, 1793, printed in Jomini's *Guerres de la Révolution*, I. 363 ff.

² Sic.

³ See reports of Saint-André and decrees reorganizing the navy in *Le Moniteur Universel* for February 5, 6, and 8, 1794.

expose — They proceed less from native defect than from accident, and may therefore be softened, perhaps be entirely removed.

In a course of conquest it is to be feared that the lust of dominion may lead this People, already the happiest Nation on the globe, in geographical position, to grasp at possessions, which, far from encreasing, would eventually abridge both their happiness and their power.

The retention of Savoy I regard as irrevocable — and, unless negotiations for peace are soon entered upon, I should consider the annexation of Austrian Flanders to the french Republic as neither improbable nor remote.

This conquest, should it be made, (and that a Nation of 28 millions of people, situated as France is, being compelled to become a nation of Soldiers, should, within a very short period, atchieve whatever conquest they attempt, is but too probable)

This conquest I say may be more susceptible of restitution, in exchange for her Islands — but even that I think would be doubtful, as, with the extension of her territory, her other means of obtaining their restoration must be dangerously encreased.

This is a case for the consideration of those, whom I have neither the power nor the wish to influence, but I am satisfied that more political reflection should attach to it, than they, to whom it is most interesting, seem disposed to give.

As inauspicious to the happiness of France and the peace of Europe, I can only regret the near possibility of such an event.

The difficulty of organising their government, after peace, would form a darker shade than it does, if we did not reflect that the Constitution is already prepared — that the nomination to office, and the knowledge which qualifies them to select characters, would be almost exclusively in the possession of the Comité de Salut Public — and that a long continuance in office has already designated the individuals for the stations, which they ought respectively to fill: This is, nevertheless, a Source of serious apprehension, as it regards the internal peace of France, and will be deserving of all the attention, which philosophy and philanthropy can bestow upon it.

To the lenient touch of time we must refer the obliteration of those remembrances, which may nourish individual enmities for some years to come — They will not extend beyond the present generation, perhaps they will be extinguished with the war that occasioned them. It is however to be confessed, and lamented that they cloud the prospect.

I am, my dear Sir, most respectfully, Your faithful and
affectionate Servant

W JACKSON

To Thomas Pinckney Esquire Minister Plenipotentiary
of the United States of America at London.

[*Indorsement* :] Major Jackson's letter April 1794 to Mr T. Pinckney

4. *A Letter of General James Wilkinson, 1806.*

IN his work, *The Aaron Burr Conspiracy*, Dr. W. F. McCaleb quotes a letter from José de Iturrigaray, the viceroy of Mexico, to Cevallos, the Spanish minister of state, March 12, 1807, in which a letter from Wilkinson is mentioned as having been delivered to him by the general's aide-de-camp, Walter Burling. Mr. McCaleb does not seem to have found a copy of the original Wilkinson letter in the Mexican archives, and had therefore to rely upon the abstract of it given in the viceroy's communication, which he terms "the key which unlocks the cipher of Wilkinson's conduct in the month of November, 1806". In using this document Mr. McCaleb seems to have fallen into three slight errors that may need a word of correction. One of these is due to a mistranslation, one probably to a typographical error, and one to the fact that the author apparently did not have the full text of the letter. On page 169 the viceroy, writing of Wilkinson, is made to say: "He finally comes to what I had anticipated, the question of payment for his services. He asks for \$85,000 in one sum, and \$26,000 in another." The precise words of the viceroy are: "... finalmente viene á recaer en que disponga yo el pago de ochenta y cinco mil pesos por una parte, y treinta y seis mil por otra." A better translation of this sentence would be: "Ultimately he falls back upon my providing for the payment of \$85,000 for one part and \$36,000 for the other."

As to the first error, it will be noticed that, if the viceroy suspected from the outset the motives of Wilkinson, he does not say so. The word ultimately (*finalmente*), moreover, is used in conjunction with an earlier plea of that officer to the effect that he had risked his life, fame, and fortune to protect Mexico from the designs of Burr. And \$36,000, not \$26,000, is the second sum mentioned.

But the Spanish phrases "por una parte . . . por otra" can hardly be rendered "in one sum . . . in another". Nor is the translation above suggested comprehensible until the letter of Wilkinson itself is carefully read. Therein it appears that the phrases refer to the twofold service Wilkinson was to perform in behalf of the Spanish possessions, and for which he asked payment. The whole letter is of so much importance that it is worth while to print it in full. The English original was destroyed in compliance with Wilkinson's request in the letter itself. The Spanish translation of it is in the Archivo Historico-Nacional, Madrid, Papeles de Estado, Legajo 5564 B.

WILLIAM R. SHEPHERD.

JAMES WILKINSON TO JOSÉ DE ITURRIGARAY.

NATCHEZ, 17 de Noviembre de 1806.

Exmo. Sör.

No ha mucho que V. E. pueda verme sobre las fronteras de la provincia de Texas sosteniendo las pretenciones y executando las ordenes del presidente de los Estados Unidos, y ahora estoy sin ordenes ó autoridad de mi gobierno, esforzando todo mi poder para sostener la buena fé de estos estados, oponiéndome á una tormenta que se forma de la parte del Este que amenaza el asiento sobre que V. E. está sentado, y si no se reprime á tiempo, trastornará los cimientos del imperio sobre el qual preside.

Ha sido con el objeto de resistir esta rebolesionaria tempestad que he transferido tan velocemente mis tropas desde el Río de las Sabinas á la Nueva Orleans sin saber las disposiciones de los Estados Unidos, y he tomado y seguiré con iguales medidas sobre mi propia autoridad, como por mis medias privadas, que me pongan de estado de impedir el estruendo, si es posible, que amenaza la destrucción del reyno mexicano.

Esta infernal combinación se compone de Casadores del Kentucky y establecimientos del Ohio capitaneados por sujetos de capacidad y esperiencia y gefes distinguidos de la Revolución americana á quienes se les ha prometido una fuerza naval Británica disfrasada para cooperar con ellos.

La Nueva Orleans debe ser la primera víctima de su rapacidad. Despues deberá hecharse sobre la Vera Cruz, y la conquista de la ciudad donde V. E. reside debe seguirse de donde el Evangelio de la revolución y revelión deberá propagarse hasta sus más remotas provincias y escenas de violencia como de pillage debe[n] seguirse. Para contrarrestar estas calamidades, de las quales la vista y el ánimo se apartan con horror, como un Leonidas me arrojaré en el paso, defendiéndolo ó pereciendo en la empresa: pero como la pequeñez de mis fuerzas contra una quadrilla de desesperados puede ocasionar el éxito del conflicto ni cierto, aconsejaría á V. E. que sin perder un momento de tiempo pusiera á la Vera Cruz en estado de rechazar un cuerpo de 129 hombres, y que asimismo tubiera el ojo alerta á los puntos principales de la costa, porque si los bandidos son rechazados de la Vera Cruz, pueden intentar un desembarco en otra parte: mediante á hallarse acompañados de ciertos emisarios desesperados de esas provincias que conocen bien las costas y animarán á los revolucionarios de perseverar en el seguro de una revolución general de los súbditos de V. E. á su favor.

Para los nombres y caracteres de los caudillos de esta audaz empresa y los pormenores de este infernal complotte ruego á V. E. confie en el dador W. Burling Esqr. (Escudero) el único sugeto que existe á quien yo pudiera fiar esta misión, y á quien he podido persuadir abandonara el descanso de su casa en una estación tan cruda para luchar con las fatigas y peligros de una larga caminata entre desiértos y bosques por mi personal influjo sobre él, y la solemne seguridad que le he dado que V. E. le remuneraría con liberalidad por los trabajos y riesgos á que se hallara expuesto.

Por lo que á mí toca arriesgo mi vida, mi fama y bienes por las medias que he adoptado: mi vida por la mutación que he hecho en las disposiciones militares sin el conocimiento de mi gobierno; mi fama por ofrecer esta comunicación á una potencia extranjera sin ordenes, y mi fortuna ó bienes, agotando mi propio bolsillo y los de mis amigos para eludir, frustrar, y si fuese posible, destruir los planes nefarios de los rebolucionarios.

El elevado puesto de V. E. encierra un caracter sublime de honor, y bajo de este supuesto le he franqueado mi confianza para salvar ese país, en la plena persuasión que esta carta despues de traducida, testimoniada, y archivada en cifra se hará pedazos en la presencia del dador y que en la cuenta que V. E. diese á su corte de este asunto se omita que mi nombre sea conocido á los gobiernos Británicos, Franceses, y Americanos.

Para desbaratar los planes y destruir el concierto y la armonía de los bandidos que en la actualidad se están formando en el Ohio, he destinado por medio de agentes idoneos la cantidad de ochenta y cinco mil pesos, y para el despacho executivo de copias y contrarevolucionarios treinta y seis mil pesos que espero sean reintegrados al dador, por cuya seguridad á su regreso ruego á V. E. mande se le franquee una escolta correspondiente hasta las inmediaciones de Natchitoches; y confiase firmemente en la equidad de V. E. en el caso que la providencia me conserve la vida y me ponga en estado de derrotar á los bandidos destinados contra Mexico, tendria la vondad de considerar justo y equitativo el reintegro de qualesquiera otras ganás que me vea precisado á hacer en sostener la causa comun de buen gobierno, orden y humanidad.

Ejmo. Sör. con profundo respeto tengo el honor de ser el más obediente y humilde, aunque inconocido, servidor de V. E. —

(firmado) DIEGO, WILKINSON.

Al Ejmo. Señor Virrey del Reyno de México y territorio anexo.

[Translation.]

NATCHEZ, November 17, 1806.

Most Excellent Sir:

Not long ago your Excellency might have seen me on the frontiers of the province of Texas upholding the claims and carrying into execution the orders of the president of the United States. Now without orders or authority from my government I am trying with all my might to keep good faith on the part of these states, while I face a storm gathering in the east which threatens the seat of government in which your Excellency is placed, and which, if not dispelled in time, will overthrow the foundations of the empire under your rule.

Although ignorant of what the United States might wish me to do, it was to withstand this revolutionary tempest that I recalled my troop so suddenly from the Sabine river to New Orleans. On my own responsibility and by my own private means I have taken and shall continue to take such measures as will enable me to check the commotion that threatens destruction to the realm of Mexico.

This infernal combination is composed of backwoodsmen from Kentucky and the settlements along the Ohio. It is led by able and experienced men and officers distinguished in the American Revolution, who have been secretly promised the cooperation of a British naval force.¹

New Orleans is to be the first victim of their rapacity. Afterward they are to attack Vera Cruz, and then will follow the conquest of the city in which your Excellency resides, from which point the gospel of revolution and rebellion is to be spread to the remotest provinces, and scenes of violence and pillage must ensue. In order to ward off these calamities, from which sight and mind recoil in horror, I will hurl myself like a Leonidas into the breach, defending it or perishing in the attempt. But, since the feebleness of my force when pitted against a band of desperados might make the issue of the conflict uncertain, I would advise your Excellency, without losing a moment's time, to place Vera Cruz in a condition to beat back a force of 129 men,² and also to keep a watchful eye on the chief ports along the coast; because, if the bandits should be repulsed from Vera Cruz, they might plan to disembark elsewhere. Accompanied, as they will be, by certain desperate emissaries from the Mexican provinces, who know the coasts well, they will encourage the revolutionists to persevere in the hope of a general uprising among your Excellency's subjects in their favor.

For the names and characters of the leaders of this bold undertaking, as well as for the details of this infernal plot, I beg your Excellency to trust the bearer, W. Burling, Esq., the only person living to whom I could confide this mission. Thanks to my personal influence, and the solemn assurance I have given him that your Excellency would reward him liberally for the labors and hazards to which he will be exposed, I have been able to persuade him to leave the quiet of his home in this inclement season of the year and struggle with the fatigue and perils of a long journey through desert and wilderness.

So far as I am concerned, I am risking my life, my good name, and my property by the means I have adopted: my life by the change I have made in the military arrangements without the knowledge of my government; my good name by offering without orders this communi-

¹ The Spanish government, of course, was already well informed on this point through the communications of Yrujo, the minister at Washington, based upon the supposed revelations of Burr's henchman, Jonathan Dayton. In his letter to Cevallos, December 5, 1805 (Archivo Historico-Nacional, Estado, Legajo 5541), he says, "The expedition on the part of England is to be composed of three ships of the line, and seven or eight smaller armed vessels which will bring arms, ammunition, and artillery." Yrujo adds, however, "He [Dayton] wanted to bamboozle me with the mysterious information . . . and, despairing of any advantage from his rôle as a conspirator, since England has not entered into his schemes, he has essayed to play the part of the faithful thief by revealing to me a secret that for many reasons it was rather to his interest not to divulge."

² Assuming that the text of the letter is correct, this number appears to have been Wilkinson's estimate of the number of men then (November, 1806) actually at the disposal of Burr. Ralston told Dr. Carmichael, January 11, 1807 (Wilkinson, *Memoirs*, II. Appendix LXXXV), that "the number of men at present with Colonel Burr, did not exceed one hundred and fifty", i. e., at the time Burr reached New Madrid.

cation to a foreign power; and my fortune or possessions by draining my private purse and those of my friends in order to elude, frustrate, and, if possible, destroy the nefarious schemes of the revolutionists.

The exalted station of your Excellency bears with it a sublimely honorable character, and under this supposition I have given you my confidence as a means to save your country, in the full persuasion that, after this letter has been translated, attested, and placed in cipher in the archives, it will be destroyed in the presence of the bearer, and that in the report which your Excellency may make to your court on this matter, you will see that my name is not divulged to the British, French, and American governments.

Through the instrumentality of suitable agents I have arranged to expend the sum of 85,000 pesos in shattering the plans and destroying the union and harmony among the bandits now being enrolled along the Ohio, and 36,000 in the discretionary despatch of supplies and counter-revolutionists, which sums¹ I trust will be reimbursed to the bearer, for whose safe return I ask your Excellency to furnish a suitable escort as far as the immediate neighborhood of Natchitoches. I trust, also, that I may confide fully in your Excellency's sense of justice, so that in case Providence spares my life and enables me to rout the bandits destined against Mexico, you will regard as fair and equitable the reimbursement of whatever other outlays I may have to make in upholding the common cause of good government, order, and humanity.

I have the honor to be, most excellent sir, with profound respect,
your Excellency's most obedient and humble, although unknown servant,

(Signed) JAMES WILKINSON.

To his Excellency, the Viceroy of the kingdom of Mexico and territory annexed.

5. *A Letter of Admiral Farragut, 1853.*

AMONG the Draper Manuscripts in the library of the Wisconsin Historical Society there is a letter (press-mark, 6.xx 60) by David

¹ Whether or not these statements of Wilkinson are absolutely false, and the whole affair is accordingly a brazen swindle, must remain undetermined for the present. In the absence of better evidence, however, the affirmative view receives considerable support, first, from the well-known duplicity of Wilkinson in connection with the Burr conspiracy, and secondly, from the assertions in his *Memoirs*, II. 326-327, that he did not appreciate how serious the projects of Burr had become, and hence that he had not made elaborate preparations to forestall them, until November 6 (eleven days only before the above letter to the viceroy was written), when a letter of warning reached him from James L. Donaldson, of Natchez. He says: "notwithstanding the communications of Swartwout, my mind was not entirely satisfied, and I could not give full credit to his information. But this letter of Mr. Donaldson removed my doubts; and I lost not a moment, after the receipt of it, to put in operation all the means I commanded, for repelling the formidable force, which I now expected would soon be before New Orleans; to which capital my eyes were immediately directed." Again: "I had not formed a decided opinion, of the nature and objects of Burr's enterprise, before the receipt of Mr. Donaldson's letter. . . . I then first perceived, it was wholly unauthorised by the government: — highly criminal in the design, — most alarming in its extent. . . . I had no longer any difficulty, as to the course of conduct, my duty, and the interests of the nation, required me to pursue."

Glasgow Farragut, which merits publication. It was written by Farragut, then a commander, in reply to queries which had been put to him by Dr. Lyman C. Draper, who was seeking far and wide for information relative to pioneer life in Kentucky and Tennessee. In this document Farragut gives some interesting information concerning his father and his own early years that has not appeared in any of the biographies.

In reading the letter it will be helpful, by way of introduction, to remember that the admiral's father, George Farragut, was a Spaniard, coming of a long line of soldiers, sailors, and magistrates, and was born on the island of Minorca in 1755. In a spirit of adventure he came to America in 1776, and served the American cause in the Revolutionary War, both in the navy and as a cavalry major in Tennessee. He settled in Tennessee as a farmer, and married Elizabeth Shine, a Scotch woman of North Carolina. To them was born July 5, 1801, David Glasgow. Later the Farraguts moved to Louisiana, where Major Farragut became attached to the New Orleans naval station. Mrs. Farragut died of yellow fever in 1808.

Young David was but nine years old when appointed a midshipman in the navy, under the tutelage of Commodore Porter; and his memory of still earlier childhood days in Tennessee, as shown in this letter, gives additional evidence of precocity.

R. G. THWAITES.

DAVID G. FARRAGUT TO DR. LYMAN C. DRAPER.

NORFOLK VA

Sept 20th 1853

Dear Sir

Your note has been received and it would give me great pleasure to comply with your request if it was in my power, but I really know so little of my Father's history that it would scarcely aid you in your object, I only remember my Father in Tennessee as a Farmer and a Soldier I supposed he was a Militia dragoon; because altho only five years old I remember his dragoon Cask with white horse hair in the crest. You may think it strange that I remember that fact, so I'll say why, on one occasion our house was surrounded by some stragling Indians so soon as they were discovered at a distance my Mother put the children in the loft of the log kitchen that stood at a short distance from the house; and when the Indians approached she held a parley with them from the *house*, no doubt to *draw* them from the *kitchen*. We lay there all breathless until released by our Mother, during the parley she was once induced to come down to the door, which was secured by a strong Bar and chain, to give them some whisky, as they said they would go away if she would give them some, but as she attempted to open the door a little, one of them struck at her with a knife, but she closed the door by the Bar and his

knife stuck in the door, they soon after went away and we were released from our confinement. My Father returned home in an hour after their departure then it was I saw perhaps for the first time the evil passion of man get possession of him, he could scarcely be prevented by my mother from the folly of following them by himself, but she at length prevailed upon him to put on his uniform and collect his company, as there were too many of the Indians to be mastered by less than a dozen whites which she said he could soon collect. My Father accordingly set off on horseback in his (as I thought elegant) uniform, and in about two hours he again passed the house with 8 or 10 horsemen similarly dressed they were soon put on the trail by my Mother and away they went in pursuit of the Indians what became of the Indians I dont now remember, the impression however left on my mind is that they did not leave many of them to recount the adventures of their visit to our lonely dwelling which as well as I remember and from conversations with Genl Jackson and Judge Anderson the Comptroller must have been on the Holsten River at Campbells Station. Judge Anderson informed me that my Father was a Major in the Army with him, but did not know from which state but that he believed he was appointed in North Carolina. I know he was called Major by his old associates When Burn's difficulty occurred or when Louisianna was taken possession of M^r Jefferson's Gun Boat system was put in operation my Father (who appears to have been something of a waterman) was appointed to the Command of one, No. 11, a schooner with the rank of Master, and my eldest brother had obtained a midshipman warrent and went to sea with him. Mounting four heavy guns, he was ordered immediately into service, and my mother was left to move the family down to New Orleans the next fall. By the direction of my Father a Keel Boat was built for us and our family floated down the river in it under the charge of a young man from Kentucky by the name of Merrill Brady; the next season in New Orleans was something like the present a most deadly yellow fever season and my mother fell a victim to it the children of whom there were five, were placed by my Father in different families to be brought up. It so happened that Com^{dr} Porters Father was on the same duty in New Orleans as my Father he was in wretched health and my father took him to his house, and my Mother nursed him as long as health permitted her, but it pleased the ruler of all things to take them both out of the world at the same time one by consumption, the other by yellow fever and they were both interred on the same day (so I have been told) for I was with the rest of the children removed from home and knew nothing of the sickness of my mother until she had been dead some time. Shortly after Com^{dr} Porter arrived to take command of the station, and learning the particulars of his Fathers death, insisted upon taking one of my Fathers children to bring up, he had just married and had no children. My Father consented provided he could induce either of us to go with him which by degrees he did my sister and myself lived with the Com^{dr} in New Orleans as long as he retained the station, and when he was releived I em-

barked with him and my sister remained with his sister who had married Dr Heap the Navy Surgeon of the station. From that time to the day of his death Com^{dre} Porter was a father to me and I never saw my own father again. I was seven years old when I left home so that you see how little I could know of his life or character in fact all that I know I gathered from others. About 26 years ago while in Norfolk where I generally reside I received a message that there was a gentleman at the Hotel who wished to see me. I went down and an elderly gentleman introduced himself as the old and early friend of my Father and wished to see if I was "a sprig worthy of the Parent stock." It was Col M^o Kee then a member of Congress from Alabama, he informed me that a M^r Ogden, himself and my Father were the 3 first settlers of Tennessee, that they lived in a log cabin for some time (I dont remember how long) until my Father took it into his head that he would get married and that broke up their brotherhood he described my Father as belonging to Citadella in the island of Minorca (I am under the impression that my *grandfather* was from Citadella and *not* my Father but I may be wrong) he spoke of him as a man of great wrecklessness of character and just suited for the life of a Pioneer. I replied that he paid the forfeit of his wrecklessness life, that he had died of a cough contracted in that way when only 60 years of age at Pascagola in Mississippi, he had purchased a tract of land and located his family there. It was his habit to cross lake Pontchartrain in a small Boat and sleep on the Beach when night overtook him. I well remember his wrapping we children up in the boat sails on one of these trips only a short time before I left him. Yes said M^o Kee that was just like him, he was just as much at home on the water as on the land, he was a glorious Indian hunter, and a great provider in great straights for food. I did not think to ask Col M^o Kee to give me a little outline of what he knew of my Fathers life, and now deeply regret it. I have never been able to find any record of his services in the Army, altho Genl Jackson and Judge Anderson informed me that his appointment in the Navy was for his services in the Revolutionary War and the Judge told me he knew he was a Major at the same time he was he was called as if his name was spelt *Farragood*. I will write to my Brother who resides in New Orleans and perhaps he may know something that might be interesting. I left New Orleans with Com^{dre} Porter in 1809 and did not return there until 1823 I then made my sister a visit of 8 or ten days I afterwards made them a visit of 2 weeks in 1838 so you see Sir how little I know of my Father or even my own family. I think he was born in 1755 and died at his residence at West Pascagoula in 1816 in his 61st year, he was in the battle of New Orleans but what part he bore I know not, I only know that if he had not borne an honorable part Genl Jackson would never have acknowledged him as a friend, or have been disposed to befriend his son as he ever did me. Thus Sir I have endeavored to give you all the little I know of my Father, and in so doing I have been compelled to give you a little of my own early history, and from that date up to the present

the Archives of the Navy dept contains my history which is but little more than a varied routine of cruizes on the stations in different parts of the world. "I have served (as the Tailor says in the Red Rover) in the seven bloody wars besides many others that have been talked of" and have thus far been preserved to the rank of a Commander in the Navy

With great respect

Your Obt Servant

D. G. FARRAGUT

P. S. This would have reached you sooner, but for mislaying of your letter, which deprived me of your address.

Respectfully

D. G. F.

REVIEWS OF BOOKS

Kulturgeschichte der römischen Kaiserzeit. Von GEORG GRUPP.

Band I., *Untergang der heidnischen Kultur.* (Munich: Allgemeine Verlagsgesellschaft m. b. H. 1903. Pp. x, 583.)

DR. GRUPP'S *Kulturgeschichte* is a commendable piece of work, temperate and well-proportioned. The statement of facts is clear, if not chronological in the strictest sense of the word. Directness and conciseness are among the most pleasing features of the work, the vast amount of material that the author has diligently brought together being condensed into 583 pages.

Civilization under the Roman Empire has frequently been the subject of historians, and naturally the question arises whether Dr. Grupp offers us anything new. His *Kulturgeschichte* is not a mere repetition of what Döllinger, Friedländer, Marquardt, Seeck, and others have offered us, but his purpose is to show us the civilization under the Roman emperors in a broader light, to compare it with the contemporary and later Christian civilization, to aim at the employment of the economic motif in a more general way, and to follow it in its progress and expansion. The work strikes one as an interesting picture of certain aspects of social life under the Empire.

Thirty chapters are devoted to such matters as the religion of the Romans, their education, homes, family life, institutions, emperors, officers, classes, agriculture, commerce, slavery, societies, and soldiers. Rome's relation to Greece, Asia, Egypt, and the Orient (including the Jews and their religion) is discussed in Chapters XXXI.-XXXIV. The next three chapters are given to the life of Jesus, the first Christian congregations, and the teaching of the apostles. Chapter XXXVIII. treats of the changes of the Roman character; and the remaining chapters deal with the Roman influence upon Africa, Spain, Gaul, Britain, etc., the military rule in foreign countries, colonization, and the religion of the frontier.

The short chapters on religion, life, and manners consist of jottings rather than a narrative. While imparting much information and displaying the author's talent for generalization as well as his keen analytical powers, these chapters do not aim at completeness. The book is perhaps not so much designed for the professional scholar as for intelligent readers of all classes who take an interest in by-gone ages, and who in such a book seek information that may guide them safely through the overwhelming mass of historical material. The foot-notes and references are numerous.

Christianity, so closely connected with the history of the Roman Empire, naturally could not be ignored in the *Kulturgeschichte*. In the latter part of the work the reader finds a constantly increasing proportion of ecclesiastical matters. While it is true that the work can be called the product of a broad-minded historian, it cannot be denied that Chapters XXXV.-XXXVII. are written rather from the standpoint of a Catholic theologian than from that of a historian. The chapter on Jesus seems to be disconnected, apparently having no relation to the others. The treatment of His life, while quite detailed, does not discuss adequately the relation of Christ to the Romans nor their attitude toward Him. Neither does it properly prepare us for an intelligible explanation regarding the moral standard of the age, the introduction of new creeds and rites, and the final change to another religion.

A second volume, to be published shortly, will deal with the development and expansion of Christianity, beginning with the fourth century. We are promised a bibliography in this volume. F. G. G. SCHMIDT.

L'Occident à l'Époque Byzantine, Goths et Vandales. Par F. MARTROYE. (Paris: Hachette et Cie. 1904. Pp. xii, 626.)

THE Byzantine epoch in the west extends, in Martroye's opinion, from the establishment of the Goths in Italy to the death of Justinian. Seven chapters of this work, accordingly, deal with the Gothic kingdom in Italy and its destruction. Two chapters describe the destruction of the kingdom of the Vandals and the invasion of Italy by the Franks after the overthrow of the Gothic kingdom. Finally, there is a brief description of the Byzantine domination in Italy. The author has made a careful study of the sources, and quotes from them constantly and at length. He gives very few references to secondary books, and his volume leaves the impression that he is not familiar with the recent researches in this field.

The most interesting portions of the book are the descriptions of Theodoric's character, policy, and government. M. Martroye's study has led him to take a much less favorable view of the Gothic hero than the one to which Voltaire, Gibbon, Herder, and Laurent have given currency. Probably we have been prone to exaggerate the merits of Theodoric, but M. Martroye is inclined to depreciate them unduly. He attributes to Theodoric the bombastic rhetoric in the letters of Cassiodorus: "Et toute cette déclamation se termine par l'ordre, donné à Symmaque, la future victime des Goths, d'étayer, à l'aide de piliers, les voûtes croulantes du théâtre et d'y faire les restaurations que la sécurité du public rendait indispensables. De simples piliers, après de si pompeuses exagérations, voilà, en un mot, tout le système de Théodoric" (p. 88). He considers that the wise and just actions of Theodoric were due either to the influence of his secretary, or else to the cunning policy of a barbarian. Two passages from his final judgment of Theodoric (pp. 153, 154) will show his point of view:

Le règne de Théodoric fut moins glorieux qu'on ne s'est plu à le dire sur la foi de ses panégyristes. Ce conquérant que quelques décrets promulgués pour la conservation des monuments de Rome et beaucoup de rhétorique ont fait considérer comme le restaurateur de la civilisation, ne fut que le chef heureux d'une armée victorieuse. Il ne comprit ni les circonstances, ni les hommes du milieu où l'avait placé le succès de ses armes et ne sut rien fonder de durable. . . . Quand, dans sa lutte contre Clovis, sa diplomatie se trouva vaine, le barbare reparut en lui ; il se contenta de partager avec les Francs le royaume d'Alaric dont il avait entrepris la défense. Quand il reconnut que des dissertations archéologiques, des éloges du passé et de belles promesses ne suffisaient point pour faire illusion aux Romains et aux catholiques, il n'eut plus souci de tous ses beaux principes ; ce fut en barbare qu'il agit aussitôt, par l'oppression et par la violence.

M. Martroye argues in several passages that the *Secret History* could not have been written by Procopius. His arguments are few and inconclusive. He is apparently unacquainted with the work done by Dahn, Panchenko, and Haury, whose arguments prove beyond reasonable doubt that Procopius was the author of the *Secret History*. Martroye's attitude on this subject is possibly the most striking illustration of his neglect of secondary work. He quotes at great length the speeches which Procopius attributed to various characters, arguing (p. 554), "Les discours que Procope prête aux généraux de l'armée impériale et à Totila, doivent être considérés comme ayant une valeur historique. Procope raconte des événements auxquels il a eu part et il a pu être très exactement renseigné, même au sujet des proclamations des chefs ennemis." This may be true, but it is always doubtful whether we ought to place much reliance in such rhetorical exercises, which are the commonplace of all classical historians. Martroye in the same note continues, "Quant aux discours qu'Agathias prête aux Goths, ils ne sont, peut-être, que des amplifications de rhétorique"; but he quotes the speeches of Agathias.

These points are criticized because the book is useful, but must be used with caution. It owes its chief importance, as the publishers state correctly in their advertisement "à l'emploi constant des sources originales". In this respect the book deserves great praise ; the narrative is formed almost entirely by weaving together the statements of the various authorities. Even when the author has formed his own opinion, as in the case of Théodoric, he is too honest to suppress the passages which conflict with this opinion. Consequently the volume is one to be consulted by every student of the period of the migrations.

DANA CARLETON MUNRO.

A History of England. By CHARLES M. ANDREWS, Professor of History in Bryn Mawr College. (Boston : Allyn and Bacon. 1903. Pp. xx, 588.)

It is the high merit of this work that it is at once a model text-book and a scholarly history of Great Britain. "If there be a form of historical writing supposedly peculiar to text-books," declares the author,

"I have made no effort to find it or to use it." To the progressive teacher these words are full of promise, for the mechanically compiled and artificially written text-book is becoming a positive hindrance to the use of right method in our schools. The teacher may rejoice in a book which is not ostentatiously written down to the youth's supposed capacity. The thin diet too often served is enervating to both pupil and teacher. The stronger meat that Professor Andrews has wisely provided will prove an intellectual tonic.

The apparatus of the book is very satisfactory. Besides the twenty genealogical tables, there are seventeen maps and seventy-four illustrations. The maps have been prepared with great care, and some of them are unique in character. Thus the sixth shows the territorial claims of England in France at seven epochs between 1154 and 1453; while the fifteenth, in three parts, discloses the extent of British India at the end of the Seven Years' War, in 1850, and at the present hour. The portraits of celebrated men and women and the pictures of contemporary things must, in the hands of the alert teacher, become a powerful adjunct to the narrative. But it is the bibliographical helps that will prove most fruitful in promoting right methods of study and teaching. Thus the foot-notes, besides the critical and other supplementary matter, contain systematic references to the source-books, which will encourage the use, at least as illustration, of the more important original documents in English history; while the references at the close of each chapter, affording a view of the choicest literature of each epoch, will give a deeper and broader meaning to historical study. Indeed, without the two elements of sources and bibliography, the problems of history will be pretty sure to elude the reader's attention; and the "conversion of narrative into problems" is the very soul of scientific historical teaching.

The book covers the history, not merely of England in connection with Scotland and Ireland, but also that of the Indian and colonial empire. Special stress is laid upon institutions and upon social and industrial conditions. The text is divided into thirteen chapters, the first four of which deal with the period before the Norman conquest. The author has done well in devoting a distinct chapter to "Anglo-Saxon Institutions", thus gaining unity and emphasis for his treatment. The results of recent research are cautiously utilized, especially in the enlightening discussion of the land system. In this chapter as elsewhere, on disputed points Professor Andrews has decided opinions and does not hesitate to express them. Thus we are told that "The word *shire* is not derived from *share*, as is frequently asserted"; and that the *tūn* or *vill* "had no political importance", being "rarely mentioned in the laws".

The entire treatment of the subject is remarkably uniform and well balanced. Everywhere it reveals the hand, not of a compiler, but of a scholar who writes from the sources, with a full knowledge of the monographic literature. Here there is of course space only for a passing notice of a few typical passages. In the fifth chapter, devoted to the Norman conquest, one is at once attracted by the discussion of William's feudal

land system, whose peculiar features are knight-service, scattered holdings of the great vassals, and the oath of allegiance to the king as their chief lord exacted from all landholders. Through the oath at Salisbury in 1086 "William violated the recognized feudal principle that a vassal owed allegiance to his immediate lord only. But he could do this without danger, because as king he was able to enforce a rule that as feudal lord he would hardly have dared to make." Regarding the other means for preventing "feudalism in England from developing its worst aspects, — the territorial independence of great lords, and private war" — the author declares, contrary to the usual teaching, that the scattering of estates "was due not to any design of the Conqueror, but to the slowness of the conquest." The reigns of Henry III. and Edward I. are discussed in the seventh chapter. The good work of the friars, the career of Simon, the rise of Parliament, and especially the great statutes of Edward receive the attention which they deserve. So likewise in the next chapter industrial and social conditions — the Black Death and its economic results, the manorial system, the work of Wycliffe, and the Peasant Revolt — are given the relative space which the modern student requires. For the concise account of the peasant rising recent investigations have been faithfully used, especially the notable researches of Dr. Kriehn.

A conservative view is taken of Cromwell's place in history. The ordinances for the reorganization and strengthening of the kingdom show him "to have been a statesman of large powers". But he "cannot be called a great statesman, because he did not consistently plan for the future, and because he did not adapt his government to the wishes of the people of all England. . . . His experiments in constitutional government were a failure, because they were made in the interest of the Puritan party and never of the nation." This last statement will scarcely be accepted as axiomatic by all students of Cromwell's work. It is true that his legal and constitutional reforms were undone at the Restoration; but, whether or not they prove that Cromwell was a great statesman, they should receive even more relative attention than Dr. Andrews has given them, if the real significance of the Puritan Revolution would be understood. The measures even of the despised Barebone — not "Barebones" — Parliament are worthy of serious study. It was that body, for instance, which adopted the Civil Marriage Act of 1653, an ordinance of extraordinary interest, anticipating the essential features of the civil marriage laws now existing in England and the United States.

In the discussion of the British policy toward the American colonies we are told that the "more excitable of the colonial orators raised the cry of 'no taxation without representation'; but it is hard to see what good could have been done by a few men elected in the colonies and sent three thousand miles to sit in a parliament that was thoroughly corrupt and represented no one except the men who bought the votes of the electors." This statement is not helpful, if it is meant to suggest that such was the real aspect which the problem of taxation took in the minds of the majority of the leaders of the Revolution, although at first Benja-

min Franklin was the chief of the "excitable" orators who favored a plan of American representation in Parliament. Again, it is asserted that from the time of the Revolution onward the "old colonial system, characterized by navigation acts and restrictive measures, ceased to exist in fact, though not in law. This change came about, not because of any lesson taught by the American Revolution, but because the old system had outlived its usefulness." It is indeed marvelous if the loss of an American empire had no decisive influence in demonstrating to the English people the uselessness of the old colonial system.

Strong as is this book in dealing with institutions and social questions, one could wish that somewhat more space had been given to them in the modern period. The present forms of local organization and administration and the rise of the system of cabinet-parliamentary government are not considered. A chapter on existing institutions would have been the natural complement of the one on that subject for the Anglo-Saxon period. Moreover, the struggle for the emancipation of workers in mines and factories deserves more than a passing remark; and the great services of the seventh earl of Shaftesbury are as worthy of notice as those of Bright, Cobden, or Russell.

These shortcomings, if they be shortcomings—due doubtless to economy of space—must not be suffered to conceal the great merit of this book. It is written in a simple and pleasing style; and the narrative is so closely knit, following the natural evolution of the subject, that the attention of the reader never flags. It is what not many text-books are—a real contribution to historical literature; and it should prove a powerful influence in advancing the scientific study of English history in the high-school and the college.

GEORGE ELLIOTT HOWARD.

The Mediæval Stage. By E. K. CHAMBERS. (Oxford: Clarendon Press; New York: Henry Frowde. 1903. Two vols., pp. xlii, (2), 419; v, (3), 480.)

THIS work has to do with acting rather than with literature; it is a history of the stage, not a history of drama. The period is the rather late mediæval extended even through the sixteenth century. Its actual scope is more English than general in spite of the very full illustrative material from other lands with which the author leads up to his English theme. The standpoint is neither that of the playwright nor of the player, but of the folklorist and student of customs.

The text is divided into four books; on minstrelsy, folk drama, religious drama, and the interlude. More than half the space is given to the folk drama and more than half the remainder to the religious drama. A thirty-page list of authorities and a number of valuable appendixes take up about one-fourth of the work.

Under minstrelsy the author touches on the complete downfall of the theaters through ecclesiastical hostility and barbarian indifference. He goes on to show that the popular love of spectacles nevertheless endured, as is shown by the flourishing state of minstrelsy. He shows further that

the spectacles and the remarkable variety of popular games, but especially the dance, have their definitely dramatic side as developed in the May-games, the sword-dances, the feast of fools, and the boy bishops. These "gave birth to a special type of the drama in the mask". Popular games were frowned on by the church, but in the end it was the church itself which did most to satisfy the mimetic instincts of the people. The liturgical drama developed remarkably within the church, "migrated from the church to the market-place", and thence "still farther to the banqueting-hall". From the hands of the clergy it passed to those of the folk, still retaining its religious character, and thence into the hands of a professional class of actors, putting off its religious character and taking on new aspects under the influence of humanism. In brief, modern drama arose from "the ecclesiastical liturgy, the farce of the mimes, the classical revivals of humanism".

All parts are wrought out in a workmanlike manner, showing excellent scholarly equipment, good command of the literature of the subject, and thorough method in the use of sources, but the most loving as well as the most extensive treatment is that given to the folk drama. Here the author's interest leads him to be somewhat discursive at times. An elaborate evolutionary theory of religion has its justification in the attempt to trace to the ritual of religion the form of the dramatic elements of the popular festivals—the folk dance from the ritual and from the dance the folk drama. But this fullness is hardly needed for the argument, and the argument itself seems sometimes a little touched with that spirit of fantasy which besets the best of folklorists—and Mr. Chambers is of the soberest. This portion on folk drama is, however, to say the least, a rich gathering of illustrative facts on the general subject of the popular instinct for dramatic play out of which has grown the organized modern drama, and it is a genuine contribution to the understanding of the folk-psychology which forms the basis of that development. In his treatment of the religious drama and the interlude the author is more in touch with the familiar line of tradition, but contributes much fresh material and very full enrichment of the usual matter.

In the matter of fullness Mr. Chambers leaves little to be desired, unless one is disposed to criticize his almost entire neglect of the subject of "dialogued speech", to which he himself refers as, with symbolism and mimetic action, "the other important factor" of dramatic development. This theme might well have formed a new section or at least chapters under folk drama and religious drama. It was the almost universal practice of the late middle ages to put in dialogue form whatever was intended for the people. In the thirteenth century even sermons and encyclopedias (like the "*Livre des secrets*" and the work of the "philosopher Sidrach"), and in fact most things written in the vernacular, were dialogued. The dialogued sermons such as those of Berthold, Voragine, Tauler, Geiler, and others were a definite appeal to the dramatic instincts of the people. The most suggestive survival of the dialogue sermon, the curiously interesting and effective preaching of the

Dotto and the *Ignorante* by the Jesuit fathers in Rome to-day, is distinctly dramatic and is dramatically performed by two preachers, one of whom imitates the man of the people and even talks in the Roman dialect. Some allusion is made by Chambers to the use of dialogue by the minstrels and in Christian writings, etc., but there is no real treatment of this field.

The work stands superficial tests for accuracy very well indeed, in spite of the fact that it fails the first tests put — Voragine did not die in 1275 (II. 126) but in 1298, and the Coventry Weaver's play was not burned with Sharp's collection, although its rediscovery at Coventry by H. Craig (to whose forthcoming edition of the plays Chambers refers) is too recent for use here. Moreover, "a knowledge of Seneca or of Plautus" is not quite "the rarest of things" (II. 207), at least in the thirteenth century, if one may judge from certain writers of this period whom the reviewer happens to be reading at the time of writing this review, for they make quotations by the score from both these writers. But, considering the immense mass and variety of material crowded into this work, the tests reveal surprisingly few slips or inaccuracies.

The book is written in a style which makes interesting reading in spite of the necessary scholarly references and the unnecessary peppering with quasi-technical words given in their originals as if untranslatable. On the whole the work is one not only attractive and profitable to read but useful also as an introductory guide, and that not merely to the subject in general but also to the multitudinous special topics introduced under each general theme.

In the matter of bibliographical reference, the thirty-page list of authorities at the beginning is a somewhat miscellaneous list of books consulted, with much that is only indirect in its bearing, but it is useful enough; and the bibliographical notes at the beginnings of chapters and in foot-notes are models of practical bibliographical method. The make-up of the book with its handsome typography and unusually light paper is very pleasing. Not least among its attractions is the fact that the well-proportioned margins are not too wide and the fair-sized type and leadings are not excessive. It is a normal book, not watered either by author or publisher and not condensed beyond nature. The only suspicion of skimping is in the index and this, although made on a somewhat meager plan, is intelligently made and fills the decent amount of nineteen pages.

ERNEST C. RICHARDSON.

The Angevin Empire, or the Three Reigns of Henry II., Richard I., and John (A. D., 1154-1216). By SIR JAMES H. RAMSAY, of Bamff, M.A. (London: Swan, Sonnenschein, and Company, Ltd.; New York: The Macmillan Company. 1903. Pp. xxiv, 556.)

THIS is the last instalment of Sir James H. Ramsay's great work. It covers the combined reigns of the first three Angevins, and thus

brings the reader down to the death of John, A. D. 1216. The scope of the work, however, is not so broad as the title might lead one to suppose. What little space is devoted to constitutional or social questions is given almost entirely to England. Even Ireland receives only meager treatment, while that vast agglomeration of lordships which was held by English kings as vassals of foreign overlords, and which yet formed such an important part of the "Angevin Empire", is neglected almost altogether. On the other hand, the author has followed with characteristic industry the Angevin kings in their ceaseless goings and comings, their never-ending itineraries, as far as it is possible to restore or confirm, — a species of historical investigation which, although of little interest to the general reader, is of considerable importance to the student, especially if the work is done well and finally. Whether Sir James has attained this end or not can be determined only by a careful examination of his processes. In the main it may be said that upon almost every page he gives evidence of the same patient industry, the same devotion to accuracy in matters of detail, the same conscientious fidelity in the description of events, that have placed the *Foundations of England* in the class with the best models of the modern school of history-writers.

The author's purpose, as he modestly states in his preface, has been to verify and confirm by an independent survey of the original authorities, and to present "facts rather than impressions". Hence he has no brilliant discoveries to announce; no novel and startling interpretations of old texts to exploit; no slashing criticisms to develop. He is always conservative in exposition, clinging tenaciously to old and accepted views, and surrendering them when he must always with reluctance.

In his estimate of men and actions the author rarely betrays enthusiasm; he always looks at his heroes through an inverted glass. His Henry II. is a busy king, whose feverish activities never cease; he is as tireless as a fiend, but he is far from the statesman-sovereign whose picture Stubbs has drawn with such a masterly hand in his introduction to the so-called Chronicle of Benedict of Peterborough. According to Sir James, Henry's statecraft has no higher inspiration than an innate love of power, directed in later years by the immediate purpose of finding portions for his graceless sons. It is, therefore, petty and short-sighted; and in the end is defeated by the very sons whom he would favor. He is ignorant of human nature, and has little knowledge of the economic or social forces which surround him. All in all, for the student of constitutional institutions his reign is a dismal failure. As might be expected, where the father fails to secure favor, Richard fares worse. Even his title to respect as a master of the art of war is denied him; although Sir James does betray some enthusiasm when describing the conduct of the battle of "Arstif". For John, however, the author has only contempt: far from being "the ablest and most ruthless of the Angevins", John is a lusterless tyrant, hopelessly depraved, and without ability either in war or politics to redeem the fathomless evil of his nature. For the less con-

spicuous figures whose names are connected with the Angevin history the author has more patience but hardly more admiration. Becket is a martyr but no saint; "with all his Biblical jargon he fought as a politician", and in a bad cause. For Hubert Walter or William Marshal the author has slight respect; their faithful service of bad masters is not to their credit. Even Langton, the traditional hero of the Great Charter, appears, if not a self-willed egoist as Becket, at least as a church-seeking prelate who rises no whit above the selfish interests of his class.

Upon most of the disputed points connected with the Angevin era the author is inclined to take conservative ground. He sustains Bémont against Guilhaumez in rejecting the second condemnation of John, but refuses to follow Miss Norgate in rejecting the first condemnation. In discussing the origin of trial by jury, he thinks that Pollock and Maitland have been too ready to "bow to German authorities", and while conceding to Brunner the continental origin of the inquest by royal writ, he insists upon the direct connection of the accusing thanes of Ethelred's time with the sworn inquisitors of Henry II., who thus "present a link between the jurors of the old English gemot and the modern grand jury".

Upon either of these questions Sir James certainly has a right to his view, and his position will doubtless receive due consideration from the scholars who continue the investigation of these topics. In discussing the alleged grant of Ireland to Henry by Pope Adrian, however, the author fairly lays himself open to the charge of unfamiliarity with recent literature upon this subject. The Bull of Adrian, he says, "has been fiercely assailed, for very obvious reasons, by zealous Romanists, and patriotic Irishmen". True enough, but is this all? The author ought to know that the men who have destroyed the credibility of the famous bull are neither "zealous Romanists" nor "patriotic Irishmen". He is evidently familiar with Mr. Round's essay in *The Commune of London*, but in a marvelous foot-note on page 7 he virtually confesses that he has read neither Scheffer-Boichorst nor Pflugk-Harttung. The simple *credo* of Sir James, therefore, in which he announces his unqualified acceptance of *Laudabiliter*, can have little weight. His position, moreover, is hardly strengthened by the further statement: "even if it [the bull] should prove to be a concoction there would still remain ample evidence that the Papacy was accessory, both before and after the fact, to the invasion of Ireland by Henry." Here the author certainly shifts his case to firmer ground, for it was long ago shown conclusively by Scheffer-Boichorst that the question of the spuriousness of *Laudabiliter* is entirely distinct from the question of papal responsibility. But unfortunately Mr. Ramsay's "ample evidence" has also been thoroughly sifted, and not only has Adrian been freed from all responsibility for the English seizure of Ireland, but it has been further shown that after the English had taken forcible possession, Henry tried in vain to persuade three successive popes to confirm his title.

In his treatment of the Becket controversy the author appears to write not in the dignified temper of the historian, but with the animus of

the polemical writer. In the preface, in fact, he coolly avows that in obedience to the demands of the times, he proposes to use the Becket matter to show to the world what the words, "the Liberty of the Church", imported when those words had a living meaning. Now, without questioning Sir James's judgment of Becket, it does not follow that Becket's view of "the liberties of the church" was the accepted view in the twelfth century. As a matter of fact, few of the English bishops supported Becket; even Alexander evidently regarded him as a troublesome radical to be restrained rather than encouraged, while later popes, noticeably Innocent III., expressly rejected the principle upon which Becket based his whole contention. The decree of Innocent is the law of the Roman church to-day.

The animus of the author toward things or persons churchly is still more apparent in his treatment of Langton and the Charter; and whatever may be the reader's concurrence in the use which the author would make of the Becket controversy, few will follow him here. Sir James declares that the provisions of the Charter which pertained to the church were "sweeping and extravagant. Archbishop Langton had not given his support to the Barons for nothing. The first words of the Charter proclaim the absolute 'liberty' of the Church in the fullest sense. This 'liberty', as then understood, involved the surrender of all that Henry II. had contended for in his Constitutions of Clarendon; it would relieve the clergy of all lay control, and of all liability to contribute to the needs of the State beyond the occasional scutages due from the higher clergy for their knights' fees. The clergy would be in the happy position of having their property and rights protected for them *gratis*, by Courts whose decisions if adverse to themselves they would be free to reject. The grant of the absolute 'liberty' of the Church, with the free canonical election already granted and now expressly confirmed, would establish a self-elected corporation as the ruling power in the Kingdom" (p. 475). Prejudice could hardly go farther than this, if not in misstating, surely in misunderstanding the spirit and purpose of historical action. As a matter of fact, never at any time were the words "liberty of the church" so closely or so explicitly defined. In one generation they meant one thing, in another, another thing, as the church was compelled to defend some new point along the line of its activities against the encroachment of royal or baronial tyrannies. With few exceptions the stand taken by the champions of church liberties has been justified by the modern world, because, as Palgrave long ago put it, "The liberties of the Church were the franchises of the nation." Neither the Charter of November nor the Great Charter of June following warrant us in believing that Langton sought any such results as Sir James here recounts. If any man of the thirteenth century had a definite conception of what the words "liberty of the church" meant, that man was Innocent III.; and Innocent would have been the last to reject the archbishop of his own making for committing himself to the service of "the liberties of the church". But Innocent suspended Langton and left a successor to reinstate him;

and the inference certainly is just, that the humiliation of Langton was due not to the fact that he favored the liberties of the church, but to the fact that he had championed the liberties of England against the tyrannies of the pope's new vassal — the impossible John. It is true that the Constitutions of Clarendon had been nominally dropped by Henry as a result of the tragic end of the Becket matter, and yet, within two years of the death of Becket, Henry had secured the right of the forest courts to try and to punish clerks for breaches of the forest laws, and from that time the civil courts had quietly but steadily resumed the jurisdiction of clerical cases of various kinds, until in the thirteenth century the final authority of the church courts was recognized only in a few capital cases. In John's day the question of civil jurisdiction was virtually settled, and among the grievances brought forth by the church the encroachments of the civil courts upon the church courts is not mentioned. In Edward I.'s reign, as we near the end of the century, we shall find another archbishop, Winchelsea, boldly claiming that church-land ought to be exempt from taxation by the state, and still later, on the eve of the final severance from Rome, we shall find Archbishop Warham virtually declaring the legislative independence of the church from the national parliament. Yet in Langton's day such issues were entirely remote to men's thoughts, nor did the term "liberty of the church" mean anything more than exemption from the shameless plundering of John or exemption from direct royal interference in ecclesiastical elections. As for the rest, the taxing of church property or the abuse of jurisdiction, Langton apparently was perfectly willing to cast in his lot with the nation and find protection under the general provisions of the Charter, which secured the liberties of the church to be sure, but no more than it did the liberties of the barons or the burghers.

In treating of the homage of John and the promised tribute, Mr. Ramsay has overworked the evidences of national humiliation and mortification. Neither of his authorities, Walter of Coventry or Matthew of Paris, is strictly contemporary. Both were bitterly antipapal and wrote out of the midst of the fires of the thirteenth century, when the papal overlordship had become a very patent and a very irritating fact. There is no evidence that in the early part of the century there had been yet quickened in England any of the later bitter antipapal feeling. On the contrary, the barons at the time of the homage of John regarded the affair with no ill-favor, and later at the time of the papal interference in the affair of the Charter virtually claimed in their protest against Innocent's action that they had forced John to enter into the new vassal relation. Up to this point, in fact, they apparently regarded the pope as their best protector against the tyrannies of John. Forty years later, however, when papal interference and papal exaction had taught them to look upon the church with anything but filial affection, men began to talk of "humiliation" and "mortification".

The peculiarities of Sir James Ramsay's style are so well known that it is hardly necessary to refer to them again. The book is sadly in need

of careful editing. It is to be regretted that when an author has evidently spent so much labor in the effort to secure accuracy of detail, his work should be marred by careless proof-reading. The text is fairly clear, but some of the foot-notes are beyond description. For example, see the note on page 7, where not only are the names of Scheffer-Boichorst and Pflugk-Harttung misspelled, but four other errors also appear in the titles of the periodicals in which their respective essays occur, nor is either date of publication given correctly.

BENJAMIN TERRY.

The Philippine Islands, 1493-1898. Edited by EMMA HELEN BLAIR and JAMES A. ROBERTSON. Vol. VII., 1588-1591; Vol. VIII., 1591-1593; Vol. IX., 1593-1597. (Cleveland: The Arthur H. Clark Company. 1903. Pp. 320, 320, 329.)

TAKEN as a whole, Volume VII. presents us more enlightening data as to the early history of the Philippines under Spain than any of those that have preceded it in the series. This is due primarily to its containing the celebrated relations by Friar Juan de Plasencia of the "Customs of the Tagalogs" (1589); the letters to the king and his Council of the Indies from Bishop Salazar, Santiago de Vera, and other members of the first audiencia, and the king's careful instructions to Gomez Perez Dasmariñas.

There are so many points of probability in his favor that we can hardly resist giving the palm to Bishop Salazar in his controversy with the lay conquerors who have become *encomenderos* of natives (having districts of from 1,500 to 10,000 population assigned to them), charging them with abuse and even torture of the Indians in order to secure their annual tributes of one peso, and, with few exceptions, of giving them nothing in return in the way of protection or instruction (through missionaries). Unfortunately the peppery bishop has left us, even on paper, very fair proof that most of the charges brought against him by the other parties to the controversy were true. He engaged in petty wrangles over precedence with the first audiencia; he interfered with the civil jurisdiction of the king, and for the first time brought to bear a weapon that for long thereafter should play a large part in securing ecclesiastical domination of the Philippines, *viz.*, excommunication; he refused absolution and condemned men to hell who did not act in accordance with his views; he conspired with his brother Dominicans to oust the Augustinians from their mission-work among the Chinese in Manila, and gain it and a future entrance into China for his own order; he patronizingly praised the king for sending a new governor to replace the man with whom he had quarreled, then promptly quarreled with the new-comer; and he lectured the king when the latter issued decrees not to his liking. All this is not incompatible with the truth of his charge against the *encomenderos*, and the probability is that he exaggerated very little in saying, "Through their presence, [they] work more injury to the Indians by the many grievances which they occasion, and the bad

example which they set, than the latter are advantaged in being thus pacified." But, on the other hand, we cannot overlook Dasmariñas's careful investigation and sober statements as to the insufficient number of missionaries and their inadequacy to the work, as conquest was extended by the *encomenderos*, among whom he finds some good. And we have to remember that the Jesuits, already disgruntled by the bishop's disposition to give all the plums to his own order, cautiously hint that, so far as oppression of the people goes, the friar-priests are already (1591) collecting in the larger parishes 800 to 1,000 pesos, besides their fees, which are held so high for marriages that concubinage is fostered.

The Plasencia relations as to the customs of the Tagalogs are standard sources of reference as to the pre-conquest natives. The reader new to Philippina should be warned that, though among the best of the few scanty sources of information on this line, Plasencia is neither complete nor always accurate, and that, at most, he studied the institutions of slavery, marriage, priesthood, etc., from a rather limited experience in the vicinity of Manila, where customs were already corrupted and adulterated. Modern scientific research among the wild tribes of northern Luzon and Mindanao and among some of the present-day Moros will soon begin to give us a better insight into the state of the pre-conquest Filipinos than any of the early Spanish writings. None the less, Plasencia's relations must always be consulted by every student of the subject, though of less value than Antonio de Morga's book of 1609, to be reproduced later in this series. The editors have followed the text given in Santa Inés's *Crónica* (Franciscan order). In 1892 Dr. T. H. Pardo de Tavera, now a member of the American Philippine Commission, published Plasencia's relations in pamphlet form in Madrid, with notes.

The decree of Philip II. against slavery has appeared in the series previously. In Volume VIII. we find Pope Gregory XIV. taking a hand in the question upon the representations of Bishop Salazar and issuing a bull (1591) in which the prohibition of slavery is definitely proclaimed. This prohibition is worthy of attention, especially on the part of the citizens of a republic wherein slavery was not finally and formally abolished for two and three-quarters centuries afterward. As a matter of actual fact, however, we have to take into account that to the very close of Spanish rule the masses of the Philippine people were virtually held in serfdom by landed companies or by individuals, Spanish or half-castes, and that the greatest obstacle to the implantation in the Philippine communities of to-day of self-governing institutions is the "caciquism", whereby in every village a few men of property and more or less education hold the rest of the population under an inherited despotism, imposed by ignorance and by a slavery to the soil or to personal debt.

Not the least curious of the old documents that make up Volumes VIII. and IX. are those relating to a very minute inquiry made at Manila into the right of the Spaniards to conduct warlike operations against the savage natives then inhabiting the Zambales Mountains and their foot-

hills, kindred of the head-hunting Igorrotes still existing in the Cordillera Central of Luzon. Undoubtedly Governor Dasmariñas was led to invite this inquiry on the part of the heads of the orders and of other ecclesiastical authorities in Manila because of the previous criticism of all the doings of the lay conquerors in their relations with the natives. It is, however, none the less amusing to note how, thirty years after the Spaniards had begun to force their authority and their religion upon a strange and more or less unwilling people, who along the sea-coasts and rivers had attained to some degree of culture, they paused over the question of making reprisals forcibly upon bands of savages from the hills who preyed on their towns and prowled about seeking their heads and the heads of some of their lowland converts. The friars having found justification for such procedure in the queer blend of canonical law and political precedents that made up the international law of the Catholic countries in the middle ages, the process of punishing the head-hunters was solemnly authorized.

Each of these two volumes has a document of some importance as bearing upon the population of the Philippines at the time of the conquest and upon the rapidity and general character of the conquest itself. The more valuable of these two documents is the extensive memorandum sent to the king in 1591 by Governor Dasmariñas, containing a summary of the territory then held and the number of people tributary. This report, together with that made by the friar Ortega in 1594, shows that the large island of Mindanao and the important islands of Samar, Palawan, and Mindoro were as yet virtually untouched by lay or ecclesiastical conquerors; that Bohol, Leyte, and Negros were known to the Spaniards only in spots; that the greater part of Panay was still unexplored, and even Cebu was scarcely reached outside of the little section on which the Spaniards had first landed under Magellan and afterward settled under Legaspi; and that a large part of Luzon, especially in the north and in the mountainous central part, remained to be investigated by the white man. The lay conquerors seemed everywhere to have preceded the missionaries. Leyte, says Ortega, has been paying tribute for twenty years, and has never had a missionary nor any religious instruction. Negros, Palawan, Mindoro, Bohol, and Mindanao, where some few tributes were being collected, had then never seen a friar. Panay, with a population of 100,000 (probably an underestimate), had but six centers of missionary work, with fourteen friars in all. Cebu had none at all outside of the city of Cebu. In the small islands between Luzon and the main body of the Visayas, the collectors of tribute were active, but the missionaries had not yet begun work. Not half of Luzon was reached by teachers of religion, thousands of people, subjects of Spain so far as paying tribute went, never having seen as yet any other representatives of Spain than the *encomenderos* and their soldiers. In 1591 there were 140 missionaries in all the islands, as against 236 *encomenderos*. The civil government even had *alcaldes-mayor* (judges with executive functions also) over regions where the natives were not yet all Christianized.

These documents shed light on two questions of present interest. First, they point to a considerably larger population for the Philippines at the time of the conquest than the church-historians have been willing to give them. Proceeding upon the earliest parish records, they have usually assigned the archipelago a pre-conquest population of one-half to three-quarters of a million. Considering the population reported by Dasmariñas, with large and important portions of the archipelago either unknown or little known, it is certainly impossible to put the figures below a million; these and other data available for the early periods may warrant an extension of this estimate to beyond two millions. The friar-historians have assumed that the early parish records included practically all the inhabitants, except those of the mountainous regions and the Moro country, this assumption being based upon the constantly repeated assertion that the friar-missionaries themselves made the early conquests and preceded civil authority in all parts of the archipelago. It is upon this, as a second point, that the facts noted above very plainly bear.

It was in consequence of the representations of the bishop and the governor that the king in 1594 sent out 154 friars and in 1595 110 more. The king's instructions to Tello, the new governor sent to succeed Dasmariñas; the documents relating to the ill-planned expeditions to Siam and Cambodia, where rival rulers were at war, and to the conquests along the Rio Grande of Mindanao; the cautious correspondence of the son of Dasmariñas, temporarily serving as governor, with the great shogun of Japan, Hideyoshi, and the conflicting claims before the king relative to the trade with the orient—these are all matters which, though but hinted at, indicate that these volumes hold interest both for the historian and for the student of current affairs.

There are various photographic facsimiles of the signatures to documents reproduced in the series, and Volume IX. contains also two representations of the coat of arms of the city of Manila in early times and a curious map of Luzon, Formosa, and a part of China by one of the Spanish navigators (1597). Beginning with Volume VI., the succeeding volumes have shown a broader grasp of the work in hand and a better selection of materials. In the lesser details, too, there has been improvement.

JAMES A. LE ROY.

Madame de Montespan. By H. NOEL WILLIAMS. (New York: Imported by Charles Scribner's Sons. 1903. Pp. xii, 384.)

MR. WILLIAMS has followed his life of Madame de Pompadour by the history of another royal favorite. The book is luxurious in form and is embellished by excellent portraits. The paper is of the best quality and the margins are broad. By some subtle association of ideas it seems appropriate to portray the life of a profligate woman in an ornate book. Vice often has a gilded exterior in literature as in life.

Mr. Williams has done his work well. He is familiar with the literature of the period, and in what he says, not only of the heroine of his story, but of Louis XIV. and of the other persons who figured in the

loves of the great king, there is little to criticize. There is, perhaps, less reason for a life of Madame de Montespan than for one of Madame de Pompadour. Whatever were the vices of the Pompadour, she was an important figure in French history; she influenced French policy; she was an uncrowned queen with more power than is possessed by most queens that are crowned. It can be said to the credit of Louis XIV. that while the objects of his affection were numerous, none of them, with the possible exception of Madame de Maintenon, were allowed to interfere with the performance of his duties as a ruler. There is nothing to show that Madame de Montespan had either the ability or the desire for any such rôle, even if it had been possible. She belonged to the worst type of royal favorites. The king was not obliged, in order to bring about her downfall, to exert the personal attractions which he undoubtedly possessed. She sought him instead of being sought, angled for her own seduction, and gloried in her shame. She had no desire to be the secret possessor of the monarch's affections, but wished to be a *maitresse déclarée* and to receive an obsequious adulation not always given to the king's wife; she wanted money and jewelry for herself, pensions and positions for her illegitimate children. She was a lady of ancient lineage and charming manners, but at heart as vulgar as Madame du Barry.

Such as she was, she is fairly portrayed by Mr. Williams. He does not exaggerate her charms, though he does somewhat exaggerate her vices. The book contains a review, not indeed of the entire administration of Louis XIV., but of a portion of it by no means unimportant, the love adventures of that amatory monarch. Not only of Madame de Montespan, but of Louise de la Vallière, Fontanges, and many other favorites of the monarch an account is given. If one desires to read in fair and agreeable form that chapter of the reign of Louis XIV., this work will enable him to do so.

The chief criticism on its historical accuracy must be based on the account which Mr. Williams gives of the connection of Madame de Montespan with the poisoning scandals of the time, to which he attributes her final loss of Louis XIV.'s affection and esteem. The evidence upon which he founds this opinion is found in the Archives de la Bastille, and in attaching importance to it we think Mr. Williams shows that he follows in the footsteps of Michelet rather than of Freeman. Legal training is not without value to a historical writer. If it teaches him nothing else, it teaches him the worthlessness of much of human evidence. Most of the testimony in the la Voisin poisonings under Louis XIV. was of the same value as that given by Titus Oates in the Popish Plots under Charles II. Of the depositions that accused Madame de Montespan, some were given under torture, and we regret to say that Mr. Williams seems to attach weight to statements thus elicited. The most of the story was told by the lying daughter of a condemned woman, who indulged in the device so common among frightened witnesses, of fabricating impossible crimes against persons of prominence. The evidence against Madame de

Montespan was not enough to authorize a jury to convict a habitual criminal of petty larceny.

Louis XIV. was not a man of brilliant mind, but he was a man of good sense. It is not possible that he believed such a farrago of nonsense, or was persuaded that Madame de Montespan had been worshipping Ashtaroth and Asmodeus, indulging in all sorts of nastiness, and plotting all kinds of wickedness. It is not necessary to believe such scandals, or to think that the king believed them, to explain her downfall. We need not place faith in black masses or diabolical conjurations, in order to account for the fact that Louis XIV. discarded Madame de Montespan and clove to Madame de Maintenon. The explanation can be based upon one of the most familiar facts in human experience, that a man grows tired of one woman and becomes enamored of another. Nothing is more common; it required no secret crimes on the part of the abandoned favorite to explain the desertion; it rested not on woman's wickedness, but on man's fickleness. But probably most persons who like to read of royal mistresses and royal scandals want their literary viands highly spiced. The offenses of which Mr. Williams accuses Madame de Montespan are bad enough and mysterious enough to suit the strongest taste for hidden and horrid crime. After all, if the readers of his book think Madame de Montespan somewhat worse than she was, no great harm is done. She was, at any rate, bad enough. JAMES BRECK PERKINS.

The Valet's Tragedy and other Studies. By ANDREW LANG. (London, New York, and Bombay: Longmans, Green, and Company. 1903. Pp. xiv, 366.)

OF these twelve studies three are purely literary, two dealing with the ballads of Lord Bateman and of the Queen's Marie, and the third being an essay on the Bacon-Shakespeare imbroglio. This last is a delightful bit of acute, lucid, and witty criticism; and if the Baconians were but blessed with a shred of humor, Mr. Lang would certainly bring them to reason. Of the remaining essays those which deal with the ghosts of Fisher and Lord Lyttelton possess no historical interest. The "Mystery of James de la Cloche" is of a different character, since James was a supposititious son of Charles II., and since the evidence in support of his paternity establishes the further and much more important fact that Charles was anxious to declare himself a Roman Catholic as early as September, 1665.

The Man in the Iron Mask could not, of course, be omitted from such a collection as this. The Mask was only a valet, according to Mr. Lang. M. Funck-Brentano thought he was an Italian diplomat, and there can be little doubt that he was either one or the other. The general consensus of opinion has been in favor of Funck-Brentano's contention, that the Mask was Mattioli, a Mantuan diplomat. Mr. Lang's arguments are, however, convincing as against Mattioli. The long imprisonment of the valet, Mr. Lang is inclined to think, was the result of "the red tape" of the old régime, a conclusion which recalls Paine's retort to

Burke in the *Rights of Man*: "Mr. Burke might have been in the Bastille his whole life, as well under Louis XVI as Louis XV, and neither the one nor the other have known that such a man as Mr. Burke existed." This was undoubtedly true of the reigns of Louis XV. and Louis XVI., but hardly of that of Louis XIV. Moreover, the quotations from the correspondence of the king and his ministers show clearly enough that they were well aware of the presence of the prisoner and also of his importance. Red tape is an inadequate explanation.

The story of the valet's master reveals Louis XIV.'s brutal disregard of the legal rights of nations and of private individuals. The cruel murder of Roux de Marsilly was less justifiable than that of the Duc d'Enghien and infinitely more horrible and inhumane. The act is a parallel to the illegal butchery of Patkul by Charles XII.

The voices of Jeanne d'Arc and the story of the false Jeanne furnish Mr. Lang with two more mysteries. It hardly seems reasonable to be surprised because people in 1450 believed that Jeanne had not been executed or because her brothers and the city government of Orleans recognized the Pretender as the Maid. We should have to know all the motives which these people had for recognition before deciding on the question, and these never can be known. As to the lack of belief in Jeanne's death, that is what was to be expected. To convince oneself of this, one has only to recall the avidity with which semi-intelligent people in our own day believe that the Dauphin escaped from the Temple and lived laborious days in the wild west of America; or that Marshal Ney never was shot, but quietly retired on half-pay.

In the essay on Sir Edmund Berry Godfrey, Mr. Lang attacks the theory recently advanced by Pollock to the effect that Godfrey was murdered "by 'the Queen's confessor', Le Fevre, 'a Jesuit', and some other Jesuits, with lay assistance". Mr. Pollock reached this result by a process of exclusion, but it is evident that the process of exclusion will not avail here, because no one knows all the elements in the case, and after excluding all the known possibilities, a score of unknown ones may remain. In any case, Mr. Lang shows beyond a doubt that Pollock has reached his conclusion on insufficient evidence. There is no reason for supposing that Le Fevre was the queen's confessor, or that there was a Jesuit by that name; it is absurd to swallow the lies of Prance and Bedloe, and impossible to pick out the truth in these lies; the theory of murder by the Jesuits cannot be established by such evidence. But having confuted Mr. Pollock, Mr. Lang has no explanation of his own. He leans toward the hypothesis of suicide, though he thinks the evidence of the surgeons conclusive against this. This certainly does not follow. Surgeons occasionally err, and most grossly. If the surgeons' evidence were all that stood in the way, one should have no difficulty in accepting the hypothesis of suicide, but there are countless other objections. So there are to any other hypothesis.

In the essay on Amy Robsart all that we yet know concerning the affair is contained. Elizabeth, so far as the evidence now accessible

goes, is cleared of foreknowledge of Amy's death; the improbability that any murder was committed is shown; and it is evident that if there were a murder, the Earl of Leicester was not privy to it. There remain two inexplicable facts: Elizabeth herself spoke of "an attempt" in regard to Amy; and no one knows how the unfortunate woman came to her death. So much is clear. For the rest Mr. Lang's reasoning is at times too tenuous, and particularly so in regard to a remark made by Cecil to the Spanish ambassador to the effect that "they were thinking of destroying Lord Robert's wife" and that she "was taking care not to be poisoned". Mr. Lang presumes that Cecil said this because he was told something of the sort by a Doctor Bayly. That Bayly knew anything is not certain. He was asked to prescribe for Amy Robsart, says an anonymous libel published twenty years later, and immediately inferred that his patient was to be poisoned. This is all, even if we credit the libel. Mr. Lang credits it, because Bayly didn't deny it. But there might be a score of reasons for not denying an assertion made concerning an event which had occurred twenty years earlier, and an assertion which imputed no guilt to Bayly. In any case, Bayly's not denying the libel does not, as Mr. Lang infers, establish its truth. But having proceeded thus far on the basis of an anonymous libel and of Froude's version of a Spanish despatch, Mr. Lang next guesses that Bayly "blabbed" to Cecil, for if not, how did Cecil happen to speak to the Spanish ambassador at this time about Amy's taking care not to be poisoned. Since such an idea was common property throughout the country-side, one might guess that Cecil picked it up without Bayly's assistance. Again, Lang's interpretation of the phrase "as all men said" (he quotes it later and incorrectly "as all men suppose") is probably mistaken. What "all men said" was that Amy was found murdered, not that the coroner's inquest had so declared. Nor is Lang justified in arguing, because Appleyard declared that the jury "had not yet given up their verdict", that such was the fact. The evidence leads one to believe that Appleyard was called to account for saying this when he knew the fact to be otherwise.

As always Mr. Lang writes easily and pleasantly, though in a loose and rather slovenly style; he is not always accurate, and occasionally, as noted above, gives two versions for the same short sentence; he is tiresomely repetitious, and cannot get through an essay without solemnly asserting of some one that "his doom was dight"; and he uses scraps of French when English would convey the meaning quite as forcibly.

RALPH C. H. CATTERALL.

The Jesuits in Great Britain: an Historical Inquiry into their Political Influence. By WALTER WALSH, F. R. Hist. S. (London: George Routledge and Sons, Ltd.; New York: E. P. Dutton and Company. 1903. Pp. xiii, 358.)

As one might expect from Mr. Walsh's interests and activities and from the character of his previous writings, the present work is decidedly

bellicose in tone. The author believes that during the sixteenth and seventeenth centuries the Jesuits were "the ringleaders in sedition and rebellion", that "If they could have had their way Protestantism would have been exterminated, in the time of Queen Elizabeth, not by fair controversial methods, but by crooked dealing, and, above all, by foreign soldiers." He declares that the British Empire is the chief center of Jesuit operations at the present moment and that "Every lover of Protestantism should realise more clearly than ever that the Jesuit Order is the great foe of our civil and religious liberty".

More than half the book is devoted to the reign of Queen Elizabeth; then two short chapters are allotted to two episodes in the reign of her successor, James I., the Gunpowder Plot and the conversion of Anne of Denmark. While the writer throws some new light on the latter point, he tends to overestimate Anne's importance as a factor in ecclesiastical politics. From here a long stride brings us to the period of the second Charles. The death of Charles marks the end of anything like a consecutive narrative. The extremely readable sketch that follows of Ignatius Loyola and the foundation of the Jesuit order, professedly based on the works of Bonhours, Genelli, and Stewart Rose, might better have been used for an introductory chapter. The concluding pages describe the constitution of the Society of Jesus and present some interesting though fragmentary and miscellaneous information concerning its general influence through affiliated sodalities and congregations. The uneven proportions of the treatment are doubtless conditioned somewhat by the material available, and possibly by the author's opinion of the relative importance of the topics selected. Nevertheless, the history of the activity of the Jesuits in England in the last two centuries is practically untilled ground, and should have appealed more to Mr. Walsh's rather present-day interests.

As a contribution to the history of the subject, the book, in spite of its febrile temper, is of value. The author's acquaintance with the writings of the Jesuits, past and present, is remarkably wide; he has likewise utilized the calendars of state papers and other original sources to good purpose. For the part of the field into which he goes most fully, namely, the plots of the Elizabethan period, his work well supplements the recent contributions of Father Taunton and Major Hume. He is careful in his references, and cites liberally from rare and not easily accessible sources, printing in full, for example, three letters (pp. 254-262) from Charles II., relating to that obscure person, James de la Cloche, his eldest son.

Apparently Mr. Walsh's manifest prejudices do not lead him to violate historic caution in gaging the value of material. He points out that the evidence for many of the later attempts to murder Queen Elizabeth comes from doubtful sources, and although he did not have the advantage of using Mr. Pollock's exhaustive study, *The Popish Plot*, his general conclusions are in substantial agreement with those generally accepted by English historians. Nevertheless, his reasoning from the facts, in some particular instances, is open to question, as in the case of

the alleged murder of Somerville in prison (p. 91), and the likelihood of Phelippes's interpolations of Babington's letter (pp. 120-121). Moreover, he certainly exaggerates the share of the Jesuits in sending the Armada (p. 139) and in the dismissal of Clarendon (p. 250), while any careful student of James I. and Charles II. would reject his hasty and sweeping characterizations of those monarchs (pp. 128, 185, 186, 218) as contrary to fact. Such head-lines as "Whitewashing Assassination" (p. 67), "Assassination 'by Poison or by Steel'" (p. 115), "Piety, Blood, and Murder" (p. 119) suggest sensational journalism, and will cause, not only scholars, but average readers to wag their heads. One wonders what is meant by "'Venerable' Saint" (p. 173), and whether beatification necessarily involves ultimate canonization (p. 199). Also it is somewhat of a shock to see Parkman called "the Canadian historian" (p. 329). One regrets to see a book not without historical merit disfigured by acrid displays of feeling, and queries whether the author would not have better served his purpose by letting the facts speak for themselves, and by omitting to lug in modern applications by the ears.

ARTHUR LYON CROSS.

Parliamentary England: the Evolution of the Cabinet System. By EDWARD JENKS, M.A., Reader in English Law in the University of Oxford. [Story of the Nations Series.] (New York: G. P. Putnam's Sons; London: T. Fisher Unwin. 1903. Pp. xix, 441.)

In this book Mr. Jenks has given us a history of all important parliamentary proceedings since the Restoration, together with such other portions of the history of England as are necessary to an understanding of these Parliamentary transactions. The first title is perhaps more appropriate than the second, for while the evolution of the cabinet system is carefully traced, quite as many pages are devoted to the legislation and administration of the past two centuries as to the development of the machinery of legislation and administration. Indeed, the most important criticism that can be made upon the book is that while the development of the cabinet system is prominent, there are, considering the subtitle, so many diversions that it is at times difficult to keep the thread of the narrative. This fault is in part remedied in the last chapter, which contains an admirable summary of the process of evolution. While there is nothing new in this work, a large number of facts in constitutional and political history are presented in orderly fashion, and the result is most readable.

Mr. Jenks considers (pp. 92-93) that the only absolutely essential features of the cabinet system are (1) that the cabinet should be composed mainly, if not wholly, of the actual occupants of great political offices; (2) that the supreme control of the national administration should be in the hands of the cabinet. Other features, such as the solidarity of the cabinet, its ability to command a majority in the House

of Commons, and the absence of the sovereign from its meetings, he regards as important but not essential. It is of course possible to conceive of a system of cabinet government in which these features should be lacking, but it would not be the English cabinet system, nor is it easy to see how such a government could solve the problem of combining popularity with efficiency. Like other writers Mr. Jenks rejects Macaulay's theory that the cabinet system was adopted between 1692 and 1695, when the famous Whig Junto came into power. If an exact date must be fixed for the beginning of the new order, he thinks that the year 1705, when the Tory Marlborough-Godolphin ministry was transformed into the Whig Marlborough-Godolphin ministry, has stronger claims than any date which precedes it. But almost as strong an argument can be made against 1705 as against 1692-1695. Both marked stages in the development—that is all. Yet although Mr. Jenks would put the beginnings of cabinet government later than some authorities have done, even in the Cabal Ministry of Charles II. he sees one feature of the coming system which historians generally have failed to recognize. "In dismissing Clarendon and admitting the Cabal to office," he tells us, "he [Charles] was really losing a servant and gaining a master. . . . however divided amongst themselves, however innocent of principle, the new Ministers resembled a modern Cabinet in this important fact—that they hoped to govern England according to their own views, and not according to the views of the King" (p. 24).

The really valuable chapter is the last one, entitled "History and Criticism". Here the results of the introduction of the cabinet system are summed up as (1) the increase in the popularity and prestige of the crown; (2) the unity which has been given to political organs; (3) the spirit of leniency which has come over British politics in the last century and a half; (4) the fact that the government of England has become a government by persuasion. Attention has been called to these points before, but the reviewer does not remember having seen before so adequate an exposition of the effect of the increased popularity of the crown, as resulting from the cabinet system, upon the unity of the empire. "For", Mr. Jenks says, "if it is a good thing that the Crown should be popular in Great Britain, it is absolutely essential, if the unity of the Empire is to be preserved, that the Crown should be popular in the Greater Britain beyond the seas. . . . There is but one King in all the British Empire; there are many Parliaments. . . . So far as institutions are a bond, it is, in fact, the popularity of the Crown, and not the popularity of the British Parliament, which holds the Empire together; and it is the legal position of the Crown, as the supreme organ of political activity, which enables the Empire to speak with a single voice" (pp. 403-405).

Mr. Jenks points out that inasmuch as the cabinet system is a system of government by persuasion, "The man of great force of character, tenaciously bent on carrying out a distant object of supreme importance, finds no ostensible place in it" (p. 423); that there is no room in the cabinet for a Bismarck or a Cavour. Whether this is a defect or not he

does not discuss at length, but he calls attention to the fact that whereas under the old system the minister had both to find out the ideas and to apply them, under the present arrangement he is more and more the mere exponent and enforcer of ideas furnished to him from without. Therefore the English Bismarcks and Cavours may do more effective work outside the cabinet than in it.

Exception may perhaps be taken to the statement on page 408 that "never, since the days of George I., has there been a quarrel between Parliament and the Crown, save for the few brief months at the beginning of 1784". In 1757 the country was for three months without a government because George II. was unwilling to accept the ministers whom Parliament finally succeeded in forcing upon him.

MARY TAYLOR BLAUVELT.

The Unreformed House of Commons: Parliamentary Representation before 1832. By EDWARD PORRITT, assisted by ANNIE G. PORRITT. Vol. I., England and Wales; Vol. II., Scotland and Ireland. (Cambridge: University Press; New York: The Macmillan Company. 1903. Pp. xxi, 623; xiv, 584.)

THE title of these two large volumes, containing about half a million words, is too modest. The book is really an elaborate history of the representation of the Commons in the three kingdoms, including not merely the character of the various franchises, but the whole scheme of the relations between members of Parliament and their constituents. Constitutional histories dealing with the legal aspects of such questions we have in abundance; social and political histories are also sufficiently numerous, but nowhere else is there to be found in one work so full an account of the membership of the House of Commons, associated with adequate glimpses of social environment. On the constitutional side Mr. Porritt's work will take its place beside Stubbs and May, and on the social with Lecky in regard to England and Ireland, and with Burton in regard to Scotland. These volumes are only part of what he promises. He intends to complete the work with a history of Parliamentary reform from the time of Elizabeth to the Redistribution Bill of 1885.

Mr. Porritt is an Englishman who has carried on the chief portion of his studies in the United States and in Canada. He bears testimony to the adequacy of cisatlantic libraries for such studies, and by residence under different types of representative institutions he has cultivated a certain detachment of mind, which is however not yet complete. Stubbs boasted that no one could tell from his writings whether he was a Radical or a Tory. Mr. Porritt champions democracy. There is no evidence of profound learning in regard to the earlier history of representative institutions. His attention is fixed chiefly on the last three centuries, but in regard to these his work is very thorough, and, among other things, he appears to have gone through the whole of the eighty-odd volumes of the *House of Commons Journals*. In addition to the standard authorities

he has used a great many memoirs throwing light on the relations between a member and his patron on the one hand, or his constituents on the other. He acknowledges the constant assistance of his wife, "without whom indeed the work would not have been undertaken". Excellent maps showing the representation in each of the three kingdoms add to the value of the work.

Mr. Porritt deals first with Parliamentary representation in England and Wales. Nowhere else is there to be found so lucid an account of the county and borough franchises, and one is tempted to turn aside to note the many singular characteristics and anomalies of these franchises, but space does not permit. In 1696 an act was passed practically prohibiting changes in the English constituencies. In 1729 any doubts on the finality of this measure were removed through the action of the House of Lords, a body which really had little right to pronounce upon representation in the Commons, and from that time boroughs were looked upon as private property. Then to alter the representation of a borough was to interfere with the vested rights, for which the English system has always showed special solicitude. The voter as well as the borough-owner had vested rights. In a small borough to have a vote was to be set up for life, and Mr. Porritt notes that the approach of an election sometimes sufficed to bring a hesitating swain to the point, since "the bribes to freemen were often sufficiently large to pay for the furnishing of a house" (I. 79).

After discussing the basis of representation, Mr. Porritt enters elaborately into the relations between members and constituents. He traces out the gradual removal of the restrictions on the choice of members until at last in 1832 only Jews and atheists were excluded from the House of Commons. Not, however, till 1891 did a Scottish constituency elect a Roman Catholic. The successive steps by which men without means were excluded from the House furnish a long and interesting chapter. It is in this respect that England is still far from the democratic level of the United States or Canada, for though the property qualification has been abolished, candidates must still pay the official election expenses. This is even now a heavy burden and in times past it was enormous. The fee of a returning officer was sometimes as much as £200, and where, as happened occasionally, the poll was kept open for six weeks, the unhappy candidates paid all the expenses of a small army of officials for that prolonged period. The following interesting case is cited:

"An example of what unscrupulous opponents might do is forthcoming in an episode in the election for the city of Norwich in 1818, when Edward Harbord, afterwards Baron Suffield, was contesting Norwich against William Smith and R. H. Gurney. At the close of the first day's poll, Harbord was left so far behind Gurney that all hope of carrying his election was abandoned. "Under these circumstances", writes Harbord's biographer, "one of the leaders of the party announced to him, that it was still desirable to keep the poll open. Mr Harbord inquired on what grounds. 'It will put Mr Gurney to a charge of one thousand pounds', was the reply. Tears of indignation actually arose in

his eyes, and he exclaimed, 'Good God, sir! What can you have seen in my conduct to lead you to infer that I would consent to put an honourable adversary, or any adversary, to such an expense for the mere purpose of aggrrieving him?' (I. 191).

Mr. Porritt gives a history of the exclusion of office-holders from the House, and in a discussion of the ties between electors and elected he shows how slowly was developed the custom of granting the Chiltern Hundreds as a matter of course, so that a member might at will retire from the House of Commons. But to this day no provision has been made by which a constituency can get rid of an unwelcome member. The interesting account of the relations between members and constituents brings out the point that the unreformed House of Commons of the eighteenth century was in fact keenly sensitive to public opinion, and a certain reproach attached to the members for rotten boroughs, who were commonly under rigorous orders from their patrons. The intervention of George III. in elections shows with what keenness he followed the fortunes of each seat. He used his personal influence even with his tradesmen at Windsor, and he is found writing about vacancies within an hour or two of their occurrence.

In the first half of the second volume we are in a totally different atmosphere, for we pass to Scotland, which owed little in its representative institutions to the influence of England. Here Mr. Porritt follows the same method, but the Scottish Parliament disappeared two hundred years ago, and its history is therefore shorter. It had some peculiarities. There were three estates—the nobles, the shire members, and the borough members—but they all sat in one chamber; they had not a speaker, but a president, and the elected members were called commissioners. We are reminded that small bodies may do better work than large ones when we see that the Scottish Parliament, though never really representative, enacted legislation in regard, for instance, to education and land tenure far in advance of anything done in England. But the Union proved a blight to such progress. Then the borough-mongers—of whom the chief was Pitt's friend Dundas—completely controlled the Scottish members. In all the counties there were, prior to 1832, less than three thousand voters, and in all the boroughs only about thirteen hundred. Dundas knew nearly every voter in Scotland, where the wild scenes of an English election were not repeated, for the voters, being of the superior class, expected to be called upon decorously by the candidate both before and after an election. To this day, the electors to a few publicly endowed posts in Scotland, such as some of the professorships in the universities, expect to be called upon by all the candidates.

Unlike the Scottish, Irish representative institutions were modeled upon those of England, and to them Mr. Porritt devotes more than half of his second volume. There is a very full history of the struggle for the extension of the franchise to Roman Catholics. Mr. Porritt comments upon the magnificence of the Irish Parliament House and upon the almost oriental pomp of the lord lieutenant, who went out to dinner

attended by a squadron of horse, and in a chariot surrounded by men with battle-axes. Though the Irish Parliament copied that of England, it developed differences. Its House of Peers was insignificant. Long before any comforts appeared at Westminster, the Irish Parliament was a luxurious club, and most of the members of the Commons lived permanently in Dublin and were readily at the call of the government. In contrast with the rigorous exclusion practised in England, the public were allowed in crowds to attend the debates in the Irish Commons. Mr. Porritt does not find much in favor of "Grattan's Parliament"; indeed he departs a little from the reserve of the historian to say that Ireland has little cause to regret the loss of a Parliament so defectively constituted as hers was. It is the only child of the Mother of Parliaments that has ceased to exist.

So extensive a work is unlikely to be free from small defects. There is a good deal of repetition, and Mr. Porritt in his desire to illustrate the past by the present makes some assumptions hardly justified. It is doubtful, for instance, whether personal bribery has wholly disappeared from English elections (I. 164); if the gossip of the House of Commons is credible, elections are still won by buying votes, and there is a paradoxical conviction that the electors in the cathedral cities are the most corrupt. It is hard also to justify the assertion (I. 278) that in 1893 a majority was secured in the House of Commons for Mr. Gladstone's Home-Rule Bill, only because it was certain that the Lords would reject the measure. Mr. Porritt is too doctrinaire. Because of the obvious defects of the unreformed system he condemns it without reserve, and yet through it statesmen like Peel and Gladstone gained admission to public life. Westminster with its slum district is not entirely a city of "magnificent streets" (I. 567). Blount (I. 501) should be Blunt, and Roland (I. 290) was not the name of Rowland Hill. Scotsmen do not like in written discourse the term Scotch for Scottish; and country-house is better than "country homes" when buildings are indicated (I. 472). But these are trifles. Though the style is without distinction, it is clear. There are separate indexes for England, Scotland, and Ireland, and copious lists of authorities.

GEORGE M. WRONG.

Charles James Fox: a Political Study. By J. L. LE B. HAMMOND.
(London: Methuen and Company; New York: James Pott and Company. 1903. Pp. xi, 370.)

It would seem a brave man who in the face of Trevelyan's *Early History of Charles James Fox* and his *American Revolution* ventured to challenge comparison with those fascinating books by another volume on the same subject. Yet, aside from the fact that even such brilliant work as that of Trevelyan might, in our opinion, still leave a field for a more impartial biography of Fox, there is another reason for the appearance of Mr. Hammond's book. Save in very small measure, he deals only with that part of the life of Fox which Trevelyan's books have not yet

reached, and he would be the first, as he says in his preface, to deny that his book could in any way take the place of the work of him who has so largely inspired this present study. The present work, as he further declares, "is in no sense a biography." It is, as the chapter-scheme shows, rather a series of essays on the various phases of Fox's public career, grouped about those questions which seemed to dominate each phase or period. This plan gives to the book somewhat more of a logical than chronological continuity, but without wholly neglecting the latter, and it has the additional advantage of enabling the author to pursue his main purpose, a thoroughgoing defense of Fox, his public acts and policy, more coherently than could have been the case under almost any other arrangement. The first chapter, Preliminary, covers briefly that period elaborated in Trevelyan's *Early History*. The succeeding chapters take up in turn Fox and the king, Parliamentary reform, the Reign of Terror, Fox and Ireland, colonies and dependencies, in which is gathered his policy toward both America and India, Fox and the French Revolution, Fox's policy in 1792, Fox and nationalism, Fox and the French war, and religious toleration. The tone of the book shows unqualified admiration for its hero and breathes the spirit of militant liberalism. It is evident that, consciously or unconsciously, Mr. Hammond belongs to that group of literary Liberals who from Burke to Morley have voiced the doctrines of that political faith. But unlike the two on whom we have no doubt much relied in our estimate of this period, he sees no good in Pitt. Lord Macaulay and Lord Rosebery have given us estimates of that statesman which, differing as they do, seem none the less to draw together in the light of the present attack. In this respect Mr. Hammond's book at least gives us much to think about, and if we cannot always agree with his contentions, we are at least grateful for a new point of view and for arguments which, though old as the rivalry of the two great leaders, are here stated with freshness, clearness, and force. We are, indeed, grateful for more than this. The life of Fox has been singularly neglected, whether we consider his place in the politics of the time or in the general history of Liberalism. He was in a considerable part of his career the champion of lost causes, and of what seemed at times, in the clash of war, almost forgotten beliefs.

Though the times were against him and circumstances made, or seemed to make, many of his proposals impossible, the circumstances of his early life and his somewhat idealistic temperament, better fitted for intellectual conflict than for leadership, together with the antagonism of the king, and a certain general disbelief in his sincerity, seldom brought him into the conduct of affairs, or long maintained him there, he yet seems worthy of more attention than he has thus far received. To discuss in detail the work under consideration would be to rewrite the history of England for thirty years. But in general one may be permitted to say that, despite the author's vigor and conviction, it may perhaps be doubted whether, even if Fox were so uniformly right and Pitt well-nigh invariably wrong in the light of the long resolution of policies and events,

that is wholly the standard by which each should be judged, whether, in other words, the circumstances of the times and the responsibilities of office should not also be considered. Mr. Hammond does not merely adopt Macaulay's dictum that Pitt was feeble as a war minister, but he arraigns his good faith as a reformer as well, and his casual mention of Lord Rosebery may indicate at least one animus of the book. His views are indeed not all equally new nor all equally sound, but they are clearly presented and ably defended. His style has force and enthusiasm. Seeking to develop, from facts already largely known, theses not wholly new, he yet brings to the discussion an amount of information, argument, and illustration that makes the book a distinct contribution to the subject and to the period. This very force and enthusiasm do, indeed, lead at times to a certain floridity of phrase not wholly conducive to the exact apportionment of truth, nor, perhaps, adding much to the closeness of argument. It is picturesque to say of the colonists that they "lived in a moral atmosphere that was arctic to all the elegant fopperies of long-established social hierarchies, and their minds moved within the horizons of a sombre and morose religion", but one may be permitted to wonder how many would recognize this as a correct view of the complex human conditions of the American people before the Revolution. It may seem to some minds a fine phrase, as no doubt it is, to say that Fox "faced in the second great crisis of his life, bereft now of his stoutest comrades, the myriad phantoms of menace, and brooding hate, and unforgiving fury, in which the darkness of the hour avenges itself on those who dare to see beyond it". But it would seem that the greatness of the subject might well have sufficed without even a fine phrase. One lingers over the matter of style because it is so evident, and, despite these frequent passages of fine writing, a very great part of the undoubted charm of this work. It is an eminently readable narrative argument, not pretending to be the result of the laborious research of the scholar, or to contain masses of new material and impartial statements. Its bibliography smacks more of Campbell's *Lives of the Chancellors* and Lecky's works, of Morley and Rosebery, and such secondary authorities, than of manuscripts and archives and unpublished documents. Yet in the body of the book it has to do with such material and cannot be considered unscholarly. And it is, very decidedly, whether one agrees with it or not, a book to be read for the pleasure and information it gives, and in any estimate of the life or period it covers, a book to be reckoned with for the ability and force with which its theses are presented and defended.

Geographic Influences in American History. By ALBERT PERRY BRIGHAM, A.M., F.G.S.A., Professor in Colgate University. (Boston: Ginn and Company. 1903. Pp. xiv, 366.)

American History and its Geographic Conditions. By ELLEN CHURCHILL SEMPLE. (Boston and New York: Houghton, Mifflin, and Company. 1903. Pp. iv, 466.)

THOUGH geography is well known to be the handmaid of history, their relations are too little noticed by experts in either subject. A few books, notably Hinsdale's *How to Study and Teach History*, have sought to connect the face of the country with the course of its history; but the two books upon this subject which lie upon our table are welcome additions. Professor Brigham writes from the point of view of the geologist, but of the geologist who concerns himself not simply with the face of the country and the manner in which it has been carved out, nor with the geological materials and minerals useful to man which are under the earth. He treats topography as a basis of production; hence he discusses climates, soils, and crops. His very chapter-titles suggest that he looks upon the face of the country as a region habitable by man and interesting because of that human occupancy: "Shore-line and Hilltop in New England", "Cotton, Rice, and Cane", "Where Little Rain Falls". His method is to sweep over the country from east to west, describing the salient features, and then showing how far they have affected the course of settlement, of the growth of population, and of military movement. For instance, after describing the Hudson and Mohawk valleys and their geographical history, he tells of the Iroquois and their position athwart the natural highway from east to west; of the coming of the Dutch and the English; of the Dutch, German, and English place-names; of the importance of the Hudson valley in the Revolution as an avenue for British armies and as a bridge from New England to the middle states. Then he describes the opening up of the Erie Canal and the New York Central and West Shore railroads in recent times.

Throughout this vigorous and suggestive book we find such interesting combinations of what is and what has been that one's circle of knowledge is easily and simply enlarged. The book is attractively illustrated with typical bits of scenery, mountains, cliffs, rocky sea-coast, rivers, lakes, forests, harbors, towns, and cities. The live-oak, the river steamer, the orange orchard, and the snow-shed supplement the mountain trail; the desert and the cañon illustrate the larger American geography. Serviceable maps, several of them in relief, bring clearly to the mind the topographic basis of the whole. To be sure, Professor Brigham makes history rather the handmaid of geography; yet the book is a study of the effect of environment upon national character and development, and as such deserves to be read and pondered by the economist and sociologist as well as by the historian.

Miss Semple's book is larger, more ambitious, and more distinctly historical. Beginning with the geography of western Europe, she takes up the effect of the North American rivers, then of the Appalachian barrier, then of the interior, and so extends her geographic description according to the historical advance of the frontier, rather than by a pre-determined geological system. She has seized upon the idea set forth in Thwaites's books, that a key to early American exploration and settlement is to be found in the portages; and by useful sketch-maps and description she brings out the importance of various passes and navigable streams. For instance, she makes clear once for all why it was that Kentucky was settled by a trail leading across the head waters of the Tennessee. She has constantly in mind not so much the face of the country as the movement of people across it, a movement directed by the natural features and often circumscribed by them.

A large part of the book is a study of the arrival and distribution of foreign elements and the determinants of urban and rural settlement. To a much larger degree than Professor Brigham, Miss Semple concerns herself with the human element, with man upon the land, with artificial highways, roads, canals, and railroads. It is a book extremely useful to those who have been in the habit of thinking of their country in the flat, of seeing on the map only artificial subdivisions which you cross over as you travel, without being aware of them. She takes America as a part of the earth surface, connected rather than divided by great oceans, with lands to the eastward and to the westward. For that understanding of the history of the western United States which has become essential the book is especially valuable. A fair example of her conception is the term "American Mediterranean", which she applies to the Gulf of Mexico, or the chapter on "The United States as a Pacific Ocean Power". A task so ambitious requires for success a greater grasp both of conditions and of historic development than any one person can be expected to possess.

To compare the two books, Professor Brigham's is the work of an expert scientific man who loves the face of his country and who wants his countrymen to see how much it affects national life. Miss Semple's book is much less precise and authoritative, but it brings together for the service of the student and the general reader a wealth of material hitherto unclassified and often unavailable, upon the function of man in overcoming the obstacles which nature set to the occupation of this continent.

ALBERT BUSHNELL HART.

Historic Highways of America. By ARCHER BUTLER HULBERT. Vol. VII., Portage Paths: the Keys of the Continent; Vol. IX., Waterways of Westward Expansion: the Ohio River and its Tributaries. (Cleveland: The Arthur H. Clark Company. 1903. Pp. 194; 220.)

FEW will question that portage paths are of sufficient importance as connecting links in American highways to deserve a special volume in

this rapidly appearing series. Whatever study of portages has been made heretofore is simply incidental to some history or confined to a single portage. The author has here an opportunity of making deductions from a general survey of the field. Some of his conclusions are that the portages were famous meeting or parting places; that they became consequently camping places; that they often differed materially in ascending or descending a stream; that they usually traversed a great watershed system; that they were used as burying-grounds by the Indians and as sites for altars by the Jesuits; and that boat-building and kindred industries were frequently carried on at the ends of portages. Stone ovens may still be found at the termini of these paths, where food was prepared and packed for the journey. Portages were also used by the white men as convenient points for making conventions and treaties with the Indians.

The plan of treatment, which first considers the nature and evolution of portages generally and next gives a catalogue of the principal ones, necessarily involves duplication. That is to say, the material for each portion must be taken from the same source. Perhaps the omission of the Wills Creek portage from the list may be due to the fact that it occupies a large part of two other volumes of the series. Yet the omission is in keeping with the evident purpose to confine the study exclusively to those portages crossing the watersheds immediately south of the St. Lawrence and the Great Lakes. These carrying places were unquestionably the most important, were the earliest used, and furnished the most accessible material because of the Jesuit writings. Perhaps an extended study might have disclosed many other portages of importance, such as that from the head of the James or Staunton to the Cheat or New rivers, or to the head waters of the Tennessee river; from the Tennessee to the Cumberland; or to and from the streams flowing into the Gulf of Mexico. Did not the pioneers who adventured from the Yadkin to the Watauga make or use portage paths which might have been included in a comprehensive study? Were there not portage paths from the Red and Arkansas rivers toward the Spanish posts in the southwest? Such questions are raised for the sake not of faultfinding but of suggestion.

The importance of portages in the struggle between the French and English, who occupied respective sides of the northern watersheds, is well brought out in this volume. The location of forts and blockhouses as well as the direction of movements of campaigns attest the value placed on these strategic points of communication. The style in which these facts are brought out is vivid; but it is doubtful whether an actual count would warrant the statement in connection with the English advance into the interior that "ten score of portage paths had been traversed". The treachery of local geography is manifest in several instances, notably where the Chicago portage is given water termini in the Illinois and Des Plaines rivers, instead of the Des Plaines and Chicago rivers. The "little lake" of Marquette and La Salle lies between the latter streams. The Des Plaines empties into the Illinois many miles below the portage.

Another instance is to be found in making Elgin, Illinois, the terminus of the Chicago Drainage Canal, a consummation most devoutly to be wished by the citizens of Joliet.

Common consent will probably say that Volume IX., devoted to the Ohio river as a waterway, is the most acceptable of the series thus far, estimating it by the facts that it brings out, the diversity of authorities consulted, and the elimination of extraneous matter. The subject presents some advantages in being defined, in covering a long period of time in American history, and in offering a variety of evidence much larger in quantity than some topics previously covered. Céloron's *Journal* is used to introduce the navigation of the river by white men. The Indian wars which retarded movement on the northern shore are next described. Four well-written chapters follow, on the navigation of the stream from head to mouth, the evolution of the river-craft, the development of different types of river-men, and the improvement of the stream for navigation made by the national government.

In describing the various successive forms of vessels employed on the river, the author calls attention to the rapid change and improvement in water transportation compared with the conservative means of land transportation in the same period. The freighter or Conestoga wagon of 1790, he shows, was practically the same vehicle in 1840, save for a few minor improvements. But within that time, the canoe, pirogue, keel-boat, bark, barge, brig, schooner, galley-boat, bateau, and dugout had each played its part in the river and been forgotten in the application of steam to vessels. Waterways were developed before great highways, and the use of steam followed the same order.

For the chapter on the actual river journey from Pittsburg to New Orleans, the author has called into service an edition of that useful but forgotten book, Cramer's *Navigator*. He reproduces extracts, with comments and explanations, forming a kind of panoramic survey of the experiences of the voyage as known to our western forebears. Timothy Flint is also drawn upon for his personal experience.

Readers who wish the picturesque element will find it in this part of the book. Those who prefer the more scholarly will be accommodated in the last chapter, descriptive of the public improvements on the stream. As early as 1804 a company was chartered in Kentucky to build a canal around the troublesome Falls of the Ohio at Louisville. In 1825 a new company was encouraged by a subscription to nearly two-thirds its stock by the United States government. In 1874 it passed completely into the hands of the national government, having cost \$4,577,880.09, over half of which was borne by the new owner. Appropriations for the improvement of the river proper did not begin until 1827, although urged much earlier. Until the year 1902 a total of \$6,565,608.12 had been given for this purpose. This is over \$100,000 less than was expended on the Cumberland National Road. Engineers' reports show that ten thousand obstructions in the nature of sunken logs, stumps, etc., were removed from the stream; also that at one time in

the length of the river there were no less than twenty-eight wrecks and seventy-two sunken boats to be taken from the channels. This is a commentary both on the need of internal improvements and on the hazards of river transportation in 1866.

Maps of the Ohio river by Bonnécamps (1749), by Gordon (1766), and by Rufus Putnam (1804) are reproduced in this volume. Volume VIII., it should be said in explanation, is postponed for the present in bringing out the series.

EDWIN ERLE SPARKS.

Robert Morris, Patriot and Financier. By ELLIS PAXSON OBERHOLTZER, PH.D. (New York: The Macmillan Company; London: Macmillan and Company, Ltd. 1903. Pp. xi, 372.)

MR. OBERHOLTZER has the good fortune to be the first exploiter of the Robert Morris Papers, which were recently purchased for the Library of Congress. These manuscripts have a romantic history; apparently they were accessible to Sparks, then disappeared, were rediscovered by General Meredith Read in a French country town just as they were to be consigned to a paper-mill, and by him jealously guarded and withheld from the student's use. In 1876 Mr. Read confided the papers for a few weeks to Mr. Henry A. Homes, librarian of the New York State Library, and Mr. Homes published a brief memorandum of their contents. He also appended three or four pages of extracts from the correspondence. Later Professor Sumner in the preparation of *The Financier and the Finances of the American Revolution* endeavored to consult the papers, but, "it was not consistent with General Read's views" to grant the request. Upon Read's death the papers were purchased by Congress. Mr. Oberholtzer's description of the manuscript volumes is very brief, irritatingly so, when one considers their novelty and importance. Indeed, so far as the reader can judge, the slight bibliographical notes in the preface are simply transcripts of some of the statements of Homes. Apparently it was not the author's intention to make an academic contribution to American history. Although the material has been generously utilized, with appropriate quotations and dates, it is impossible for the reader to decide how much of the material has been used and what is the nature of that omitted. It seems most unfortunate that historical students cannot enjoy more fully the results of Mr. Oberholtzer's opportunities and experienced training.

As a readable biography, the work is a distinct success; its style is attractive, and there is shown throughout a sense of proportion and literary construction. Morris's command of the English language was far above the average of his time, and consequently his correspondence yields many gems to the skilful biographer. The life is written in a spirit of warm appreciation. Morris appears as a large-hearted American, a generous liver, accustomed to great schemes, desirous of accomplishing results, and consequently impatient of control. The author speaks of "his rarely sanguine temperament, his freedom from vanity, his sure and con-

fidest touch, and the human note in his life." (p. 286). The author considers that Morris's famous resignation letter in January, 1783, was meant to force Congress to accept his views and to make some definite provision for the debt. "While this motive may have meant some duplicity and implied some vanity to those industrious persons who had long planned his undoing, it will be adjudged an entirely patriotic motive in the light of all our information at the present day" (p. 196). The style of living adopted by Morris is justified, even from the standpoint of expediency. "His homes and carriages, his sumptuous hospitality, his sanguine and inflexible temper, which had contributed to breed confidence in his person in the first instance, must be maintained if the public were not to lose their faith." Morris made a "tactical error" in not settling his early accounts as soon as opportunity afforded; in that way he might have discomfited his enemies. He is credited with an important influence in helping Hamilton in his financial plans, especially in the preparation and working out of the funding bill and the tariff rates. The student of Revolutionary military history may be interested in noting that Oberholtzer does not discover anywhere in the diary that Morris took any part in persuading the generals to abandon the idea of an attack upon New York in order to make a sudden descent upon Cornwallis in Virginia. An interesting account is given of the conveyance of the French money from Boston to Philadelphia in 1781, and of more general importance is the description of Morris's opposition to specific supplies and his endeavors to substitute a contract system based upon cash requisitions. On page 161 is a description of Morris's "sensational operations" with foreign bills.

Three of the manuscript volumes which serve as the basis of this biography are private letter-books containing copies of letters written from December, 1794, to March, 1798, the period of Morris's financial embarrassment and his imprisonment as a debtor. The extracts from these letters are full of a melancholy interest; brave humor and pathos are intermingled. On November 22, 1797, while beset by officers at "The Hills", he wrote, "This bad weather is unfortunate, as it prevents anybody but duns coming hither, and as to them, nothing can keep them away"; on December 2, "I have been very busy this morning watching the man that is watching me."

The book is supplied with a good index; there is a bibliography of three pages; and six illustrations, including portraits and views of the several residences of Morris, add to the general attractiveness of the volume.

DAVIS R. DEWEY.

The Writings of James Monroe. Edited by STANISLAUS MURRAY HAMILTON. Vol. VII., 1824-1831. (New York and London: G. P. Putnam's Sons. 1903. Pp. xvi, 374.)

The Writings of James Madison. Edited by GAILLARD HUNT. Vol. IV., 1787; The Journal of the Constitutional Convention, II. (New York and London: G. P. Putnam's Sons. 1903. Pp. xi, 551.)

MR. HAMILTON's seventh and concluding volume is melancholy reading. Whatever estimate may be placed on Monroe's intellect and capacity, he had, at the time of his retirement, served his country faithfully and in a highly honorable spirit for more than forty years. His conception of public responsibilities had been an exalted one; his ambitions had been lofty, and he had pursued them with an unusually scrupulous conscience and with a keen regard for the rights of others. That his last years should be harassed as they were by poverty and debt may have been no one's fault. That his pecuniary claims against the government, arising from his diplomatic missions, should have been settled in a spirit showing so little generosity toward him may have had its excuses, though it wears a disagreeable look. But that he should have been made almost constantly the victim of contemptible intrigues on the part of the baser sort of politicians, intended to benefit one or another of the presidential candidates at his expense, and that he should have found so few of the more important public men willing to act a manly part in defending him, casts an unhappy light upon the character of American politics at the time when democracy first obtained full swing. Whenever the thoughtful American is overcome with disgust of our parties, it may comfort him to look back to that brief period, grotesquely called the "Era of Good Feeling", when we had none.

It is true that Monroe "doth protest too much". The self-consciousness which had marked his earlier years, and which had been lessened by successful activity in high executive positions, recurred after his retirement; most of the letters in this volume are labored defenses of his political course. He had neither the philosophic temper which made retirement not uncongenial to Jefferson and Madison, nor their intellectual resources. He tries hard to do his duty as a visitor of the University of Virginia, and to get some satisfaction out of it; but is as helpless as the average modern college trustee in the face of intellectual or educational problems. Adams offers him a mission to Latin America, a considerable group offer him support toward a third election as governor of his state; but circumstances oblige him to decline. Even when he is given a place on the ticket for presidential electors, it is as a part of a small party intrigue. His name and Madison's are put on without their consent, and for six weeks, though the committee are their friends and are no farther away than Richmond, the ex-presidents cannot compel them to remove their names (pp. 125, 134, 144, 149-151). Mr. Hamil-

ton, indeed, thinks that Monroe is still ill-treated, alluding in a foot-note to "the petty rancor and partisan bitterness with which the memory and acts of James Monroe are so frequently and unjustifiably assailed by some historical writers"; but it is not apparent that there is any sufficient basis for this.

Among the most interesting of the letters are two (pp. 175, 187), addressed to Calhoun in August, 1828, and January, 1829, in which, out of mature experience, broad patriotism, and a kind heart, he gently but solemnly remonstrates against the South Carolina heresies of that summer. Besides the letters, the volume contains in its earlier pages several messages to Congress, and at the end a deposition denouncing the base insinuations made by John Rhea, and a reprint of Monroe's pamphlet *Memoir*, remarks and documents relating to his claims (Charlottesville, 1828).

Among these documents is a letter to Paine in 1794 and one to Talleyrand in 1803 (pp. 296, 304), which should have found their place in earlier volumes. By the way, there are printed in the appendix to the twentieth volume of the *Congressional Globe* some very interesting and important papers of Monroe relating to the Missouri Compromise, which ought to have been inserted in Volume VI. Pages 94 to 101 of the present volume mention thirty-two letters of 1814 and 1815 which Monroe thinks important toward the explanation of his conduct with reference to the New Orleans campaign. Nearly all are, or lately were, in the archives of the Department of State; Mr. Hamilton has printed only two of them. Outside that repository of Monroe papers he strays no more than in his first volume. The editing, too, remains upon the same level. There are in the whole volume hardly more than a score of editorial foot-notes, though many more were needed. It would take little trouble to learn (p. 114), that no Shay was professor at the University of Virginia, but that the reading must be Key. Of a similar sort, and of a sort often noticed in the review of previous volumes, are; p. 2, "a decisive *offset* in preventing", for *effect*; pp. 19, 20, *one* for *me* thrice, where *one* makes no sense; p. 32, "50° 40'", for the obvious 54° 40'; p. 131, "an *important* examination", for *impartial*. The volume concludes with indexes to the whole series, which seem excellent. It is pleasant to end upon a note of praise; for, though some criticisms have seemed to the reviewer unavoidable, it is impossible to take leave of this handsome and extensive series without a feeling of gratitude to the editor for the large amount of useful historical material with which he has presented us.

Mr. Hunt's fourth volume offers little opportunity for remark. It contains the second half of what he has unfortunately chosen to call the Journal of the Constitutional Convention of 1787. There are almost no notes but Madison's own, found in the manuscript, and William Pierce's characterizations of members. A long note on the suffrage, printed on pp. 121-127, is not in the *Documentary History*. A facsimile of the first page of the Constitution in its engrossment is given. The volume ends with an index to Volumes III. and IV., of good quality, but less elaborate

than that presented in the *Documentary History*. It is accordingly to be presumed that Mr. Hunt intends these two volumes to have a separate existence and circulation from that of the rest of his series. This, as an accurate, legible, and intelligent edition of Madison's notes, they well deserve.

J. FRANKLIN JAMESON.

The Creevey Papers; a Selection from the Correspondence and Diaries of the late Thomas Creevey, M.P. Born 1768; died 1838. Edited by the Right Hon. Sir HERBERT MAXWELL, Bart., M.P., LL.D., F.R.S. (New York: E. P. Dutton and Company; London: John Murray. 1903. Two vols., pp. xxiv, 342; x, 372.)

STUDENTS of English political history of the period extending from the French Revolution to the accession of Queen Victoria have good reason to congratulate themselves on the remarkable find which has been made by Sir Herbert Maxwell. They would be still more in Sir Herbert Maxwell's debt had he edited the Creevey letters, reminiscences, and journals with the care which their historical value and interest demand. The editing, however, has been done with scant claim to consistency and with little of the extreme care that marks the editing by the late Mr. L. J. Jennings of the *Croker Papers*, with which as regards historical value the *Creevey Papers* have been frequently compared. The period covered by the two sets of papers is practically the same. Both Croker and Creevey wrote much of George IV. and William IV. and of the Duke of Wellington. Both dealt with the downfall of the old Toryism, and the end of the unreformed House of Commons, and with the internal condition of the two great political parties in the first thirty years of the nineteenth century. Croker, however, with all his shortcomings, was a statesman as compared with Creevey; and he stood for something in the House of Commons. Creevey was also long of the House of Commons. He wrote a pamphlet in favor of parliamentary reform, and grouped himself with Radicals such as Whitbread, Romilly, and Hume. But he was of the House of Commons chiefly for the social advantages which accrued to him through his being there; and while he was intimate with all the leading Whig politicians from the time of Fox to the Melbourne ministry, he apparently carried no weight in their councils, and he certainly made no lasting reputation as a member. So much is this the case that there is no mention of him in the *Dictionary of National Biography*; and Sir Herbert Maxwell has done but little to trace out Creevey's career.

Creevey was of Irish extraction but was born in Liverpool, where his father was a merchant. He went to Queen's College, Cambridge, in 1786, and after taking his B.A. degree in 1789 he was admitted as a student at the Inner Temple. In 1791, while still a student, he transferred himself to Gray's Inn, and was finally called to the bar in June, 1794. While in Liverpool he had been a friend of Dr. Currie and William Roscoe; and from his association with these prominent members of the

group of Unitarians and reformers then established there, he was a Radical in politics before he was called to the bar. There is no account of his ever having joined a circuit or sought practice at the bar; but in 1802 he went into the House as one of the members for the borough of Thetford, at that time controlled by the eleventh Duke of Norfolk, who as a Roman Catholic could not sit in the House of Lords, but who had it in his power to return five or six members to the House of Commons. Creevey, it need not be said, was a nominated member. With the exception of a few years after he was dropped in 1826 by the Earl of Thanet, he was in the House of Commons from 1802 till 1832, when Downton, the borough he represented in the last unreformed Parliament, was disfranchised by the Reform Act.

The Earl of Thanet was his patron from 1820 to 1826, during which time Creevey represented the Westmorland borough of Appleby. In 1831 he was taken up by the Earl of Radnor, who returned him for the burghage borough of Downton — a borough in which half the ancient vote-houses had long been under water, and the patron of which made it a condition with the members he returned at the general election of 1831 that they should vote for the Reform Bill and incidentally for the disfranchisement of Downton. Creevey was thus of the House of Commons for nearly a quarter of a century. Yet in the whole of his published correspondence there is scarcely a reference to his constituents. Apparently he seldom or never went near them, and he certainly held himself in no responsibility toward them. He was, in fact, a typical nominated member of the last generation of the old House of Commons, governed in his relations to his patrons by the code which had grown up since the seventeenth century regulating the political conduct of nominated members toward the patrons who returned them.

All Creevey's patrons were either Whigs or Radicals; and his relations toward them as well as his own inclinations and interest — for Creevey was always on the lookout for office — made him a steadfast adherent of the Whig party in the House of Commons. His political creed when he entered Parliament in 1802 "was simple and within a very narrow compass — devotion to Fox". His attitude toward his patrons is admirably summed up in a letter he wrote to Miss Ord, his stepdaughter, on the death in 1825 of the Earl of Thanet, by whose interest he then sat for Appleby. "The death of poor Thanet", he wrote, "makes a great difference in my feelings as to Parliamentary attendance. It was due to him to be present at my post. I feel no such obligation to the present Earl, or my dear constituents." His disregard of the new Earl of Thanet apparently cost him his seat at Appleby. He was dropped by Thanet at the general election in 1826; and then turned for a seat at Winchelsea to Lord Darlington, whose boroughmongering later on earned him the dukedom of Cleveland. Creevey had an interview with Lord Darlington, and found that they were of one mind in politics, except on the corn-laws, to the abrogation of which Darlington, as a great landowner, was strongly opposed. "However," explained

Creevey, "any such discussion appeared to me unnecessary, because there was no principle I held more sacred than that when one gentleman held a gratuitous seat in Parliament from another, and any difference arose in their politics, the former was bound in honour to surrender." This was the code which for more than a century preceding the Reform Act governed the attitude of a nominated member to his patron when he had made no cash payment for his seat. Throughout his many years in Parliament, Creevey lived loyally up to this code. The Countess of Stafford, the Duke of Norfolk's mother-in-law, evidently had some part in the ending of Creevey's connection with Thetford; and his correspondence of the periods when he had been dropped by one patron, and was on the hunt for a new one, makes it plain that women at times played quite a part in bringing about the introduction of men who were seeking seats to patrons who had them in their gift.

Creevey had neither money nor influential relatives when he was called to the bar in 1794. How he came to be favorably introduced to his first borough-patron, the Duke of Norfolk, is not recorded. But his becoming of the House of Commons perhaps made him "marriage known", in the phrase that was used in the eighteenth century in connection with needy Irish peers who bought seats in the Parliament at Westminster; for in 1803 he married the widow of William Ord, of Whitfield Hall, Northumberland, whose son was of the House of Commons, first as member for Morpeth and later on for Newcastle-on-Tyne. Mrs. Ord was the daughter of Charles John Brandling, also a member for Newcastle-on-Tyne; and her sister was the wife of Rowland Burdon, member for Durham. His marriage put Creevey in a position of independence as regards money; and his new connections added to his social and parliamentary importance. Creevey had no great talents—none that were calculated to advance him into the front rank of parliamentary life. Neither had he any political ideals. He had, however, social qualities of a kind which were serviceable to a man in public life in the days of the Regency, and a talent for ingratiating himself and making himself useful in society. When the Whigs were in power, these helped him into three easy and well-paid offices: secretary of the Board of Control; treasurer of the Ordnance, with comfortable quarters in the Tower; and a governorship of Chelsea Hospital, an office which he held at the time of his death in 1838.

Students of the great questions which agitated England between the end of the war with France and the beginning of the reign of Queen Victoria will look in vain in the *Creevey Papers* before 1832 for any new material affecting these issues. In this respect these volumes differ from the *Croker Papers*; for Croker was strenuously concerned on the Tory side in all these questions, while Creevey was concerned chiefly with the overthrow of the Tories and the redistribution of offices which was to follow their downfall. But concerning the various groups in the Tory and Liberal parties between the peace after Waterloo and the reform of the House of Commons, there is an abundance of material, much of it

undoubtedly fresh and of value; while of the personalities of English politics of this period it is doubtful whether there is a biography in existence which cannot be further enriched by citations from the Creevey journals and letters. The period was a sordid one, and its seamy side is often prominent in Creevey's descriptions of his contemporaries. Grey's reputation is enhanced by Creevey's memoirs; so is the Duke of Wellington's; but in hardly any other set of memoirs is Brougham shown in a worse light, or is there a more positively depressing picture of the state into which royalty had fallen in the first thirty years of the nineteenth century.

Much the same tone prevails with regard to political parties. Except for the adherence of the Whigs to reform, there was very little to choose between them and the Tories; for both viewed the spoils of office in the same light. From the point of view of party history Creevey's memoirs are most serviceable in showing the condition of the Whig party in the years between the death of Fox and the accession of Grey to the leadership—in the period when Ponsonby and Tierney, both of whom had been of the Irish House of Commons, were in charge of the fortunes of the Whigs and Radicals in the lower house at Westminster. There is an informing chapter covering Creevey's visit to Ireland in 1828, especially valuable for the light it throws on the condition of Ireland between the Union and the emancipation of the Roman Catholics in 1829. For the three years 1830, 1831, and 1832 also Creevey's letters and journals are of unquestionable usefulness. He was behind the scenes during the final stages of the movement for reform; and his correspondence at this critical time forms a serviceable addition to the *Correspondence of William IV. and Grey*; *Grey's Letters to Princess Lieven*; and the *Croker Papers*.

It is fortunate that the Creevey Papers have been unearthed; but the discoverer of them can scarcely have realized their full value, or he would have taken more trouble with his biographical sketch of Creevey, and would have given closer and more continuous attention to the editing of the material and especially to the foot-notes. These are unevenly and capriciously done. Many instances of this could be cited. It will be sufficient, however, to cite Creevey's Liverpool friends, Dr. Currie and William Roscoe. No one would imagine from Sir Herbert Maxwell's brief notes introducing these correspondents of Creevey's that both of them were active Liberal politicians to whom places will have to be assigned in any comprehensive history of Liberalism and Nonconformity in England.

EDWARD PORRITT.

Studies in Napoleonic Statesmanship: Germany. By HERBERT A. L. FISHER, M.A., Fellow of New College. (Oxford: The Clarendon Press; New York: Henry Frowde. 1903. Pp. xii, 392.)

MR. FISHER is not an apologist for the Napoleonic régime. He points out in detail its inherent defects and the extortions which were

practised under it. And yet the tone of his exposition leaves with the reader the impression that there were times and occasions when that régime was not entirely unrelieved by the consciousness of benevolent intentions. And so far as some of its subordinate instruments are concerned, that is true. But they were so seldom free agents in their respective spheres that their purposes and incidental achievements cannot properly be counted for righteousness when judgment is passed upon the whole.

To the two phases of Napoleon's political activity in Germany, its territorial reconstruction and the imposition of the French administrative system upon the states over which his sway was undisputed, equal space is given. The first part of the book is a sketch of the conquests, secularization, and confiscation that took place during the ten years between Campo Formio and Tilsit. The second part treats of the economic conditions and the administrative innovations in Berg, Westphalia, Frankfurt, and the Hanse towns from Tilsit to the Russian campaign. There is an additional chapter upon the Rhine departments and their advancement under the Consulate and Empire.

It will be seen that neither of these fields is completely covered. There were territorial alterations after 1807, and there were extensions of French governmental methods before and after that date, which the author leaves untouched. In Prussia, too, during the period of humiliation, even though she managed to escape further dismemberment and submission to French bureaucratic control, Napoleonic statesmanship brought forth abundant fruit after its kind. Concerning his motives the master frankly unbosomed himself to his agents. To Beugnot, who protested against the tobacco monopoly in Berg, he wrote: "It is not a question of your duchy but of France. I know well that you will gain nothing by it; it is possible that you may lose, and what matter if France obtain a profit?" (p. 220). To Metternich, speaking of Dalberg, who submitted a draft of a constitution for the Confederation of the Rhine, he said:

I will tell you my secret. The small people in Germany want to be protected against the big: the big want to govern according to their fancy; now as I only want a federation of men and of money, and as it is the big people and not the small people who can give me the one and the other, I leave the former in peace, and the latter must get on as best they can (p. 165).

The demand for men and money is the significant feature of Napoleonic government in Germany, because its enforcement paralyzed productive industry and dislocated the social order. If these be not the complete measure of the value of all political institutions, certainly without them constitutions and codes have no reason for their existence. What profit had the grand duchy of Berg, for example, in the possession of "the first enlightened and comprehensive municipal ordinance" that Germany had known, or in the building of good roads, or the abolition of internal customs-duties, or the sweeping away of "medieval detritus"? All changes of this sort may be useful upon occasion, but they

should not be identified with the final and absolute good. The worth of machines of any sort depends upon the uses to which they are put. In a community that groans under a system of organized pillage, wood paths and thickets may be more serviceable as avenues of escape than the smooth pavements of public highways.

In Berg the French organized a state with a population of three millions, who gained their livelihood chiefly from the industries of iron, steel, wool, cotton, and silk. The improved governmental machinery was applied, and in five years the export trade was reduced from 60,000,000 to 11,000,000 francs, first, by cutting off the foreign market, second, by refusing to open a new market in France, and third, by wholesale confiscations of the raw material in sight. As the resources of the state diminished, the burdens increased, first, by the enlargement of the military establishment in five years from one regiment to nearly 10,000 men at an annual cost of more than 4,000,000 francs, and after the Russian disaster by an additional conscription of more than 4,000 men. Additional burdens were imposed by contributions to support a French army of occupation, which in 1810 numbered 12,000 men, by a further war contribution of 1,500,000 francs, and by the appropriation of 250,000 francs per annum from the state domains and other sums for pensions to the relatives and generals of the emperor. If Mr. Fisher had called his book "*Studies in Napoleonic Spoliation in Germany*," he would have given it a more descriptive title.

JOHN H. CONEY.

The South American Republics. By THOMAS C. DAWSON, Secretary of the United States Legation to Brazil. In two volumes. Vol. I., Argentina, Paraguay, Uruguay, Brazil. [Story of the Nations.] (New York and London: G. P. Putnam's Sons. 1903. Pp. xvi, 525.)

THE general plan of the work is to follow an introductory chapter on "The Discoveries and the Conquest" by separate parts devoted to the east coast countries in the first volume, and to those of the west and north coasts in the second. Of this volume about two hundred and twenty-five pages are devoted to Brazil, one hundred and twenty-five to Argentina, and sixty each to Paraguay and Uruguay. There are some sixty illustrations that are in the main well-chosen, but the three maps are a disgrace to the publishers.

It is not easy to estimate the weight of new statements in a book that has no foot-notes, no distinct references to authorities, and only a short list of books that "have been of use in the preparation of the first volume". But when this list is preceded by a statement that "Personal observations through a residence of six years in South America; conversations with public men, scholars, merchants, and proprietors; newspapers and reviews, political pamphlets, books of travel, and official publications, have furnished me with most of my material for the

period since 1825" (p. vi), the task becomes less difficult. Yet is it fair even then to proceed upon the supposition that apart from "personal observations", etc., only those books have been used which are mentioned? Take, for instance, the list of authorities on Paraguay. Although it is very short, it includes Graham's *A Vanished Arcadia*, but makes not the slightest mention of such standard writers as Charlevoix, Muratori, Dobrizhoffer, Rengger, Graty, Burton, Hutchinson, or Robertson. If they have been used, why is the weight of their prestige not added to the list? If they have not, it becomes difficult to recommend Mr. Dawson's account of Paraguay. Judged on its own merits, there is little which entitles it to serious consideration, except its brevity. In a varying degree, the same criticism applies to the other countries. A few good secondary authorities seem to have furnished the material for the early periods, while a large general knowledge of present conditions has enabled Mr. Dawson to treat the modern period with considerable skill.

There are so few available works on South American history that one is tempted to regard this book as an addition to our knowledge of the general subject, even though its title limits it to the history of the past hundred years. If this is carefully borne in mind, and the reader conscientiously omits all the chapters dealing with prerevolutionary times, Mr. Dawson's book can be heartily recommended, for it does give an admirable exposition of recent history on the east coast of South America. But those who persist in reading a book through "from cover to cover" must be warned against underestimating Mr. Dawson's account of events in the nineteenth century, after finding certain statements about the earlier times that have become obsolete. For instance, we read in the introductory chapter that Columbus went forth "convinced that there were islands in the far Atlantic waiting to be discovered" (p. 8), and "showed strategic genius of the highest order in choosing Hayti as the site of the first settlement" as affording an "admirable base for the conquest of the New World" (p. 10). Historical ideas of fifty years ago are still further called to mind when one reads of "Spanish columns" marching over "magnificent mountain roads". Furthermore it is somewhat disconcerting to find it stated that "At the very moment that Charles V. was crushing Peninsular freedom by brutal military force, the genius of Magellan and Cortes gave him the whole of America. Spain had heretofore been a federation of self-governing communes and provinces, but their independence was now destroyed" (p. 20).

After such an introduction it is difficult to realize that when Mr. Dawson reaches the War of Emancipation he is thoroughly trustworthy; but such is the fact. The misleading manifestos of the period have been given their fair valuation, and the conditions preceding the war are well set forth. Here is the cause of the war in a nutshell: "The Spaniards wished to retain their privileged position; the Creoles were determined to put an end to discrimination against themselves" (p. 89). While every one has heard of Bolivar, few have heard of San Martin;

and yet he did for the southern half of the continent what Bolivar did for the northern half. Our ignorance of him is due to the fact that "Unlike his predecessors and colleagues, he did not concern himself with political ambitions". "He had none of the brilliantly attractive qualities, none of the eloquence or charm of most South American leaders; he had a horror of display, and made but one speech in all his life" (p. 98). In the period following the War of Emancipation, one cannot help admiring the skill with which Mr. Dawson has unraveled the tangled skein of revolution and counter-revolution. The account of the growth and development of Argentina is especially illuminative, and has that graphic quality which comes from personal intercourse with the leaders in the state. After reading the six chapters devoted to Uruguay, chapters filled with incessant strife between *blancos* and *colorados*, one marvels at the unreasonableness of it all. Apparently the best explanation that can be offered is simply human greed and selfishness. "As is usual in South America, the dominant party split into factions, led by ambitious chiefs" (p. 273), and the fighting began all over again. In the part devoted to Brazil Mr. Dawson is at his best. He is thoroughly familiar with the subject, and treats it with marked admiration. He even ventures to assert that Brazil "is destined within the next two centuries to support the largest population of any of the great political divisions of the globe" (p. 289).

One has constantly to make due allowance for Mr. Dawson's enthusiasm and for his fondness for the superlative, but rarely does one meet with such an able exposition of South American politics. The second volume will be welcomed with interest. HIRAM BINGHAM.

Texas: a Contest of Civilizations. By GEORGE P. GARRISON. (Boston and New York: Houghton, Mifflin, and Company. 1903. Pp. vii, 320.)

THE general plan and method of the "American Commonwealths" series, to which this volume belongs, are too familiar to need explanation. The appearance of new books belonging to this series is a matter of something more than local interest, since they are intended for a larger class of readers than are other books on state history, and for that reason are apt to be accepted at home and abroad as the standard accounts of the growth of the different states and the contributions they have made to our national life. Dr. Garrison has for several years been professor of history in the University of Texas, and has devoted much attention to the history of that state. He is, therefore, thoroughly qualified to write authoritatively on the subject to which this book is devoted. As is stated in the preface, the book "is not intended for a history of Texas", but rather "a study" based on the history of that state. Such a study involves more or less extensive investigation into the history of Spain, France, England, Mexico, and the United States. This work seems to have been carefully done by Professor Garrison, since one of the strongest features of his book is the skilful presentation of these necessary European connections.

The three types of Spanish settlements in Texas — ecclesiastical, military, and civil — are also treated with skill. The author very properly attributes the failure of the Spaniards in their efforts to occupy Texas to the expenditure of energy on the first two of these colonial types to the neglect of the third. He says that "While upwards of twenty-five missions and presidios were founded first and last on Texas soil, there were, when the Anglo-Americans began to pour in, but three centres of Spanish population between the Sabine and the Rio Grande: San Antonio, Goliad, and Nacogdoches." The chapter on "The Beginnings of San Antonio" is so replete with interest that, although the author says it was the most important of the three settlements, the reader cannot help regretting that the history of the other two early centers of Spanish population were not given a similar treatment.

The complication over the adjustment of the boundary line between the French province of Louisiana and the Spanish province of Texas afforded an occasion for many plots and counter-plots on the part of the officers of the two nations in the New World. The question was finally settled by the surrender of western Louisiana to Spain in 1762. The author gives in this connection an interesting account of the career of Saint-Denis, that master of intrigue whose true place in history has puzzled many historians of the Old Southwest.

The discussion of the "Anglo-American Invasions" constitutes one of the most interesting chapters in the book. The first recorded expedition into Texas by citizens of the United States was led by Philip Nolan between 1799 and 1801. The author says that it has been surmised that President Jefferson had a hand in this matter. The Jefferson manuscripts in the Department of State at Washington contain nothing to substantiate such a conjecture. Some of the letters in this collection from William Dunbar of the Mississippi Territory refer to Nolan as a man well versed in the natural history of the remote west. Mr. Jefferson seems to have been interested in Nolan only because of the information he was capable of imparting relative to the nature and habits of mustang ponies, the sign language of the Indians, and subjects of a similar nature. The last filibustering expedition was made in 1819 under the leadership of James Long, a merchant of Natchez. After the separation of Mexico from Spain in 1821 the Anglo-Americans adopted the more effective method of peaceful occupation. The filibuster gave way to the colonist. The most important colony was established by Stephen Austin. In speaking of this colony, the author says that "the revolution of 1836, annexation, the Mexican war, the acquisitions made by the treaty of Guadalupe Hidalgo, and the marvelous development of Texas and California" constitute a "chain of events" which have "followed, 'as the night the day', the work planned and begun by Moses Austin and carried out by his son Stephen".

The Fredonian war, which to the superficial student was merely a fiasco, is shown by Professor Garrison to occupy a significant place in Texas history, since it was "the first violent clash between the Mexicans

and the colonists" from the United States, and marked the beginning of the development which culminated in the siege of the Alamo and the battle of San Jacinto. The book presents a clear discussion of the causes of the Revolution and of the various plans of government that were advocated during this interesting period of Texas history. The account of the siege of the Alamo is graphic and stirring. The experience of the Republic and the events leading to annexation are also succinctly stated. The error made by those people who think that "the colonization of Texas and the revolution was the work of the 'slavocracy'" is very properly pointed out by Professor Garrison.

The author discusses in a very satisfactory way the educational and economic progress of Texas, but, strange to say, has very little to say about the religious development of the state. The importance of this subject demands that it should have more space than is given it in this book. The closing chapter, on "The Texas of To day", is replete with interesting information skilfully presented, and makes a very satisfactory conclusion to this valuable contribution to American history.

FRANKLIN L. RILEY.

Admiral Porter. By JAMES RUSSELL SOLEY, formerly Assistant Secretary of the Navy. [Great Commanders Series.] (New York: D. Appleton and Company. 1903. Pp. x, 499.)

MR. JAMES RUSSELL SOLEY's long-expected life of Admiral Porter has finally appeared and fulfilled all the expectations based on the character of the subject and the known ability and special knowledge of the author.

Porter was a great sea-officer; it is not too much to say, one of the greatest. If there is anything in heredity, he was a marked instance. Begotten in time of war, his qualities were naturally such as should have come from such a father as was the famous captain of the frigate *Essex*, with whose great successes in the Pacific his birth was coincident. The boy was bred in an atmosphere steeped with the romance of the sea, and his later life was but a continuation of as picturesque and romanceful a history as the sea produced in the last century. One must hark back to Elizabethan days for a parallel to the lives of this remarkable father and son. The father left the service through pique on account of what he regarded an unjust court-martial, the result of taking into his own hands the punishment of the authorities of a little town in Porto Rico for maltreating one of his officers who had landed in search of pirates. He was offered and accepted the command of the naval force of Mexico, then establishing her independence of Spain, and carried with him young David, then nearly thirteen, as a midshipman. The boy saw in this capacity three years of wild adventure and a great deal of fighting under the immediate command of his cousin David H. Porter, who had also taken service under the Mexican government. But his career as a Mexican naval officer was closed in the desperate action fought by the brig *Guerrero* off Havana with the Spanish frigate *Lealtad*, in which his

cousin was killed with a loss of eighty others. When released from prison in Havana, his father having given up his Mexican command, young Porter was sent to school in Chester, Pennsylvania, to remain a year only, when on January 2, 1829, he was appointed a midshipman in the United States Navy.

Porter's service in the war with Mexico was notable for vigorous action, as was indeed all his service in the old navy wherever opportunity offered. The outbreak of the Civil War, however, found him at forty-seven dissatisfied and despairing of advancement, and he was about sailing for California with a view to giving up the service for good and all, when his intention was overturned by orders from President Lincoln to take command of the *Powhatan* to form a part of an expedition for the relief of Fort Pickens and the reoccupancy of Pensacola navy-yard. This extraordinary episode, one of the most astonishing in the whole administration of our own or of any government, shows with perfect completeness the want of system to which our military and naval services have always been prone through want of anything like a general staff. The story is one to mark a moral, and should be read by every one who has views on military matters. While Porter himself cannot be excused altogether, his conduct while in command did him honor, and had he had the direction of affairs, instead of the incompetent officer in command of Fort Pickens under whose control the whole expedition was so improperly placed, the navy-yard, we have every reason to suppose, would have been saved, and ordnance and stores preserved instead of going to supply the batteries of the Confederate strongholds of the southwest.

One good result of Porter's command, however, was the directing of his attention to the opening of the Mississippi, of which he was the immediate instigator. It was only his rank which deprived him of the chief command of the expedition. The final selection of Farragut as leader (in early life an adopted member of the Porter family) was chiefly due to him. Porter, however, though a junior officer, was the only divisional commander in the fleet, having under him the twenty-seven vessels of the mortar flotilla, which was his own creation, and which did most effective service before Forts Jackson and St. Philip. The prominence given Porter in Farragut's councils is made clear in the admirably recited events of the campaign. Though the story is one in which the commander-in-chief is, of course, the great figure, Porter is shown to be a fine second. It is incidentally stated that General Barnard was strongly opposed to the passage of the forts; to pass them and appear before New Orleans was, he said, "merely a raid, no capture" (p. 149).

The episode of the Fort Pickens expedition may be said to have had a controlling influence on Porter's career, as it would seem unquestionable that to the president's personal interest, first aroused by the contact thus brought about, was due his appointment as acting rear-admiral and his selection to command the Mississippi squadron in August, 1862. He was thus advanced over some eighty officers of higher rank, some of whom were serving in the same squadron. This is a power granted the presi-

dent only in war, and its exercise in this instance was more than justified. Porter's work on the Mississippi and its tributaries is a heroic story reflecting the utmost honor upon himself and the service. He showed himself as strong in disaster as in success. His high qualities never appeared to greater advantage than in the disastrous Red River expedition.

When Farragut declined the command of the Fort Fisher expedition, Porter was thus the natural and necessary choice of the Navy Department. The reduction of Fort Fisher and the capture of Wilmington mark the close of his great operations. He was present in the James river when Richmond fell, and was detached from the command of the North Atlantic squadron, April 28, 1865, four years and twenty-seven days after the reception of his orders to command the *Powhatan*. He had thus been on active service from start to finish with the exception of a month's leave of absence before taking command of the Mississippi squadron.

Mr. Soley has written a fascinating and inspiring book. Porter was too great an officer to disappear into the background of history for the want of a historian, and though we have waited long, the right one has finally come to do him justice. The book is admirable in all respects, and, while the author is enthusiastic for his hero, he would seem not unduly so in the light of General Grant's statement, quoted at the end, and made after the general had retired to private life: "Among naval officers, I have always placed Porter in the highest rank. I believe Porter to be as great an admiral as Lord Nelson. Some of his achievements during our war were wonderful. He was always ready for every emergency and every responsibility." F. E. CHADWICK.

A History of the Greenbacks with Special Reference to the Economic Consequences of their Issue: 1862-1865. By WESLEY CLAIR MITCHELL. [Decennial Publications, Second Series, Volume IX.] (Chicago: University of Chicago Press. 1903. Pp. xvi, 577.)

THIS volume is of triple interest: to the student of history it gives a careful investigation and an orderly arrangement of a part of the federal financial legislation enacted during the Civil War; for economists there is an interesting example of economic analysis; and the statistician is supplied with suggestive applications of statistical method. Part I. (pp. 3-131) treats of the history of the legal-tender acts; Part II. (pp. 135-420) of their consequences; and the appendixes (pp. 423-567) contain tables laboriously and ingeniously compiled for the purpose of elucidating the analysis undertaken in Part II.

The more strictly historical portion treats in successive chapters of the suspension of specie payments; of the first, second, and third legal-tender acts; and of "how further issues of greenbacks were avoided in 1864 and 1865". The chapter on the suspension of specie payments is practically a reprint of an article in the *Journal of Political Economy* (VII. 289-326). The account of the suspension, as well as that of the parliamentary details connected with the passage of the first legal-tender act, February 25, 1862, has been written many times, but Mr. Mitchell has

gleaned the documentary material of the period much more carefully than his predecessors; his study may well be considered the definitive treatment of the subject. The narrative is clear and free from the carping criticism which characterizes so many of the histories of the early financiering of the Civil War. The author has refrained from condemning Chase for refusing to modify the subtreasury system in the autumn of 1861; nor does he believe that suspension could have been avoided. "To assume that the banks could have continued indefinitely to carry their double burden—supplying both government and public with loans—is to assume that no serious reverse would have befallen the national credit." Chase is also judged lightly in the analysis of responsibility for the passage of the legal-tender bill; and this opinion is the more interesting as its publication in periodical form in 1899 anticipated Professor Hart's favorable estimate. As to the real need of issuing legal-tender treasury notes, Mr. Mitchell decides in the negative; if the three months of January, February, and March, 1862, had been utilized energetically in passing a simple internal-revenue measure, sufficient bonds might have been obtained. The more immediate question, however, for Congress to decide, as the author clearly recognizes, was whether it was expedient to sell bonds at a discount. A decided contribution has been made in narrating the history of the second and third legal-tender acts. In most of our histories, even those characterized as financial, this latter legislation has been glossed over as if the question were settled once for all in 1862.

The chapters on the economic consequences of the legal-tender acts are carefully worked out. They include a description of the circulating medium; a study of the specie value of paper currency, of prices, wages, rents, interest, and profits, as affected by paper inflation. There is a final chapter on the cost of the Civil War. Three of these studies have been previously treated in the *Journal of Political Economy*, but as they now appear are in an entirely new form; as deliberate conclusions they therefore merit the more serious consideration. The notes are full and precise; the same may be said of the index. Personally, I regret the omission of the page of charts which originally illustrated the helpful study on the value of greenbacks. It is easy to overwork the diagram habit, and the initiated should always exercise a prudent restraint, but this particular page printed in the *Journal of Political Economy*, which explains the effects of military reverses and successes, might well have been included in the permanent record.

DAVIS R. DEWEY.

The Life of William Ewart Gladstone. By JOHN MORLEY, M.P., D.C.L., LL.D. In three volumes. Vol. I., 1809-1859; Vol. II., 1859-1880; Vol. III., 1880-1898. (New York: The Macmillan Company; London: Macmillan and Company, Ltd. 1903. Pp. xii, 661; viii, 666; x, 641.)

DURING Mr. Gladstone's lifetime Lord Rosebery had the temerity to tell him that it would require a syndicate to write his life; "nobody

that ever lived tried to ride so many horses abreast", says Mr. Morley. A witty opponent once described him as "an ardent Italian in the custody of a Scotsman"; he might indeed have added that he was a hide-bound Conservative in the custody of a Radical, for with all Mr. Gladstone's capacity to lead in sweeping changes, he was, when not pressed by external circumstances, hardly of the nineteenth century. In his extraordinary Homeric studies he rejected the whole critical method that lies at the basis of modern advance in historical inquiry. On the whole he was fortunate in his career, and he is fortunate in his biographer. Mr. Morley shared his political views and responsibilities; he was also a close personal friend; yet he is, in some respects, so much unlike Mr. Gladstone that he can view the great man's foibles with humorous appreciation. Nothing is more touching and skilful in this work than the treatment of the dominant interest in Mr. Gladstone's life, his religious convictions. Mr. Morley's own views are well known; he is no believer in Christian dogmas, and yet he is fair and even expansive in regard to this side of Mr. Gladstone. "Wrestlings in prayer" recur again and again in the narrative, and they are treated with the fine sympathy that such sacred convictions demand.

In the career of a great statesman it is important to study not only what he did, but the qualities in him that made for success or failure. That Mr. Gladstone did much is evident in the fact that he had and has indeed still many haters—a tribute to his strength, for we do not hate what is weak. These three volumes chronicle in sufficient detail every phase of his public life. He once spoke of the extreme slowness of his own political education, and indeed the transition from the champion in 1832 of the unreformed House of Commons to the latter-day revolutionary exponent of Irish self-government appears in these volumes like a slow process of nature. The interval between these two events will possibly be regarded by posterity as the most important in human history. In it arose the fabric of modern civilization, with its steam and electric power, its new light on the making of the worlds, its passion for equality of rights, its reorganization of the polity of nations, not only in the west, but, as we are beginning to see, in the east too. In these spacious times Mr. Gladstone played a striking part, sometimes as the enemy, often as the friend of change and progress. He was one of the first to make the cry of oppressed Italy heard in Europe, though he was long in learning sympathy with Italian unification; he was a member of a cabinet that carried on the Crimean War; when the American Civil War took place, he played a conspicuous and not satisfactory part in the relations between the two Anglo-Saxon nations; he had some share in preliminaries connected with the Franco-German War, and in the liberation of eastern Europe from the Turk; he helped Greece, he helped Bulgaria and Montenegro. It was his cabinet that had to set up British supremacy in Egypt, and that made Afghanistan a willing vassal state to England. During the fatal era of Majuba Hill his government ruled South Africa. In home politics his place is not less conspicuous. He

fought against the first Reform Bill; he fought with Peel for free corn; he reorganized the whole basis of British finance; and it was he who led in enfranchising the rural laborer. Surely there is hardly to be found in history a more remarkable career. If no striking revelations are now given in regard to these events, Mr. Gladstone's share is still described with masterly lucidity. Mr. Morley has the statesman's insight, and to give Mr. Gladstone's career an adequate historical setting he furnishes full sketches of such incidents as the *Alabama* controversy, the causes of the Franco-German War, and the tangle in South Africa that led to the recent war. The book is of course especially full on the Irish question. We must not forget that Mr. Morley was himself Chief Secretary for Ireland.

But after all it is Mr. Gladstone the man, with his great hold upon his fellow-countrymen, that this book reveals. Here we may say reveals, because Mr. Morley alone has had access to the existing records of Mr. Gladstone's inner life. Professor Huxley once said, "Put him [Gladstone] in the middle of a moor, with nothing in the world but his shirt, and you could not prevent him from being anything he liked" (II. 562). Mr. Morley says truly that not since Cromwell's time had England a statesman who so kept religion and a passion for humanity to the fore. With this intensity of conviction there was a fiery energy based upon remarkable physical powers. Few men could attempt what Mr. Gladstone did. When he was seventy, he could take a walk of thirty-three miles with pleasure. For considerable periods he would work fourteen hours a day. It is true that he speaks of much exhaustion after his work, but what only exhausted him would have killed others.

England has never been fond of doctrinaire politics. It is not easy, Mr. Morley himself has said elsewhere, to wind an Englishman up to the level of dogma. It may be doubted whether free trade as representing a body of theories would have touched the English apart from the injustice to the poor caused by the corn-laws. Mr. Gladstone was not a doctrinaire, but perhaps more than any other great leader he based his successive policies on high theoretical grounds. In every well-ordered society a balance of interests and restraint has been developed, and not without alarm do men see a disturbance of such a system proposed. This is the conservative point of view long held by Mr. Gladstone. But in time he came to believe that there was more danger to society from cramping restraints than from complete liberty. The chief conviction that ripened in him was this belief in liberty. He would remove restrictions, and trust to the fundamental instincts of mankind. In time he came to believe that every man not incapacitated in some special manner is entitled to a voice in regard to government. Such a proposition, in its most important interpretation, meant votes for the laboring classes—a goal that the Reform Bill of 1832 had left far from realization. In England, indeed, as recently as 1835, it had been thought subversive of accepted principles that even the son of a manufacturer should become prime minister. "Will you allow me", Peel said in that year, "to recall to

your recollection what was the grand charge against myself—that the King had sent for the son of a cotton-spinner . . . to make him Prime Minister of England?" At a later time Queen Victoria herself looked with profound distrust on Mr. Gladstone's alliance with Radicals; she dreaded enthusiasm, and the language of new men like Mr. Chamberlain and Sir Charles Dilke alarmed her. She watched every utterance of leading men, and her plain-speaking and censures, as they are suggested in these volumes, show that the crown still plays a part in political life. Mr. Gladstone himself had aristocratic instincts. It is easy to see that with his temperament he would have found it delightful to belong to one of the old noble families. But if his tastes were with the aristocrat, his principles were with the mob, and though his growth toward democracy was slow, he was always sure of his ground. It was under him that high political office for men of the people became possible.

As prime minister and as chancellor of the exchequer Mr. Gladstone was the master of British finance for about twenty-two years. It was the work that he specially loved. It is clear that his impatience, his strength of character, his aversion to yield even on trifles, made him a hard master, but he was in earnest; there was abundant conviction and sincerity, and he spared no pains to understand his problems. He watched expenditure with eagle eyes, and was not above urging such small economies as less expensive stationery at the Foreign Office. Peel grew blasé as a leader and complained overmuch of the burdens of office. Mr. Gladstone had always a healthy interest in his day's work, and it is comforting to know that the most experienced politician of his age never took a somber view of human nature. Mr. Morley shows that there was a limit to his range of interests. Oddly enough, the great issue of 1870 regarding elementary education, perhaps the most important question he ever faced, aroused in him but slight zeal. He had not the artistic temperament; he cared little for architecture, and one suspects that his love for the poets Homer and Dante was due more to interest in a classical language and in the problems of early society and of religion than to poetic insight; he was less drawn to Shakespeare than to foreign masters. Only when face to face with the facts of life does he appear to have used fully the sober constructive qualities of his mind and to have been really simple. His memoranda noting important interviews with the queen and others are terse and lucid in style, but in his library, dealing with abstract questions, he becomes involved and obscure. Almost nothing that he wrote has any prospect of long life.

Mr. Gladstone was fond of saying that his life was spent in working the institutions of his country; and these volumes are largely a study of the methods of political propaganda in Britain. On the whole the effect is not depressing; the Tories have some bad quarters of an hour at Mr. Morley's hands, but in Mr. Gladstone's many controversies the venom that the leaders on each side show is largely academic. During a fierce controversy on the Franchise Bill of 1884, Mr. Gladstone and Lord Salisbury were daily taking afternoon tea together in the effort to reach

an agreement; and the criticism of the Liberal chief upon his Conservative opponent is that he has no respect for tradition! The home-rule agitation that followed evoked more bitter feelings, but each leader had, and showed, a real respect for the other.

Mr. Morley has given us an instructive study in these and other aspects of political life. He does not profess impartiality; in this respect the biographer has more license than the historian. He is a master of style ranking now with such a veteran as Mr. Goldwin Smith, and he has corrected his work so carefully that mistakes are not easily found. We may note that the army allowed by Napoleon to Prussia was 42,000 and not 40,000 (II. 349), and there is a confusion of persons on the last line of Volume II., page 552.

The "brazen glories of war" find little place in the book. In view of vehement controversies, Mr. Morley's statement is interesting that Mr. Gladstone took no personal part in the sending to the Soudan of General Gordon, and that he never saw that hero. Posterity will probably say that Mr. Gladstone showed too great facility in convincing himself and others in regard to new measures, "that what they took for a yawning gulf was in fact no more than a narrow trench that any decent political gymnast ought to be ashamed not to be able to vault over" (III. 185). None the less does this able and frank exposition convince us of the truth of Mr. Spurgeon's fine tribute: "We believe in no man's infallibility, but it is restful to be sure of one man's integrity" (II. 531).

To each volume is added a helpful chronology of Mr. Gladstone's activities.

GEORGE M. WRONG.

Benjamin Disraeli: an Unconventional Biography. By WILFRID MEYNELL. (New York: D. Appleton and Company. 1903. Pp. xxi, 520.)

THE publication of Morley's *Life of Gladstone* and the recent renewal of the protectionist agitation have combined to arouse public interest in the career of Lord Beaconsfield. Mr. Meynell's study, then, is timely; it is also interesting and suggestive; but unfortunately it does not meet our needs. The life of the great Conservative statesman, or adventurer, if you prefer, has yet to be written. The many so-called biographies that have appeared from time to time are, for the most part, mere political manifestos, either bitter vituperations or flattering panegyrics. To Macknight (1854) and O'Connor (1879) Disraeli is the unscrupulous Jewish adventurer, the personification of inconsistency. The characters in his novels, especially his villains, are quoted to prove that he was a worthy disciple of Machiavelli. The lives by Mill (1863) and Hitchman (1879) are just as prejudiced in the other direction. Froude's volume in "The Queen's Prime Ministers" series contains some suggestive material, but it was written without adequate preparation and is characterized by the author's usual pessimism. Bryce's study is thorough, and it is convincing, provided the reader is a worshiper at the Gladstone

shrine; but it is merely an essay, not a biography. Perhaps the best life which has yet appeared is that by Georg Brandes, the eminent Danish critic, which was translated into English in 1880. The works of Keibel and Cuheval-Clarigny are also valuable. The death of Lord Rowton has unfortunately delayed the writing of an authorized biography of Beaconsfield, but it is rumored that some one, probably Sir Herbert Maxwell, will soon take charge of his papers and complete the work.

Meynell describes his book as "an unconventional biography", "a cross-breed . . . between biography and autobiography". Quotations from Beaconsfield's conversations, speeches, letters, and novels are followed by comments in the author's breezy style. One of the sections dealing with Gladstone, for example, is introduced by the question "What is the difference between a misfortune and a calamity?", which somebody once asked of Disraeli. The reply was, "Well, if Gladstone fell into the Thames, that would be a misfortune; and if anybody pulled him out, that, I suppose, would be a calamity." Disraeli's famous characterization of Gladstone as "a sophistical rhetorician inebriated by the exuberance of his own verbosity and gifted with an egotistical imagination that at all times commanded an interminable and inconsistent series of arguments to malign his opponents and justify himself" (p. 466) is interesting and essentially Disraelian, but the reviewer can see no reason why it should be repeated on page 497. This and many similar cases of repetition could easily have been avoided, if the author had made his own index.

The book is an admirable study of Disraeli the man, of his home life, his dinner parties, his friendships, his hatred of lawyers, his fondness for gay waistcoats, his admiration of South German art, and the like. Scattered here and there throughout the volume are also various references to his public career, but the reader will be disappointed if he expects to find anything like a consistent, logical treatment. Certain controverted questions are taken up and discussed in great detail, always with the idea of placing Disraeli in the most favorable light. The defense of his conduct in the quarrel with Daniel O'Connell, however, is by no means convincing (pp. 204-250). About all that Meynell succeeds in proving is that the O'Connell-Hume letters of recommendation (1832) were written, not at Disraeli's personal request, but through the mediation of his friend Bulwer-Lytton. He makes out a better case, however, in the Peel-Disraeli controversy (pp. 294-340). The traditional Whig account of Disraeli's application to Sir Robert for office and of his repulse is correct, but to represent that as the primary cause of the breach is puerile. The differences were based upon principle, not upon personal antagonism. Disraeli was consistent, while Peel permitted himself to be led by Cobden and Bright away from the old Tory principles of protection. Therein lies the secret of Disraeli's success. When Peel disrupted his party by supporting the repeal of the corn-laws, Disraeli stepped into the breach as the champion of the agricultural interest, and by sheer force of ability worked his way to the top. As

Bryce well says, the task was made easy because there has always been a dearth of brains in the Tory party. If Disraeli had been a Whig, he would have found many rivals, but as a Tory he had a free field.

It has often been said that Disraeli was inconsistent. But what English statesman of his day was not? On that score he will certainly compare favorably with Gladstone or with the Sage of Birmingham. Even in the O'Connell case, although we must admit that he was ungrateful, we can hardly accuse him of inconsistency. The fight for Catholic emancipation and for parliamentary reform almost completely destroyed the old party lines. Disraeli in 1832 was neither a Whig nor a Tory; he was simply a Radical. As such he sought and secured the assistance of O'Connell, who was himself estranged from the Whigs at that time. When the parties began to settle again along their old lines, O'Connell saw fit to rejoin the Whigs, whereas Disraeli became a Tory. He was, though, as Meynell says, always a Radical Tory. Like the Pitts, he hated the aristocracy which had controlled the Whig party throughout its career, and which in his own day was securing too great influence among the Tories. He democratized the Tory party, prevented it from deserting entirely the principles of protection, and started it on its career of imperialism. When he made his sarcastic comment on Joseph Chamberlain's first speech, that "he wore his eye-glass like a gentleman", he would have been greatly surprised to know that within a quarter of a century Chamberlain would be following in his footsteps and fighting the battle for the preservation of the British Empire.

W. ROY SMITH.

Autobiography of Seventy Years. By GEORGE F. HOAR. (New York: Charles Scribner's Sons. 1903. Two vols., pp. ix, 434; viii, 493.)

THE autobiography of Senator Hoar is a delightful book to read, filled with anecdote and humor, permeated with cheerfulness and optimism, honest, direct, and enthusiastic—in short, exactly what one would expect from its honored author. In scope the work is rather narrower than many of the other important autobiographical writings of the past few years, such as Blaine's *Twenty Years of Congress*, Sherman's *Recollections*, and the books of McCulloch and Boutwell in the same field; for it does not deal with the history of the United States in any sense, but simply with the career of George F. Hoar. Since this was almost wholly legislative, events of a military or administrative character are ignored, and the resulting limitation of subject adds greatly to the unity of interest of the work. The first chapters deal with the author's ancestry, boyhood, and school-days—in many respects they are the most graphic and entertaining in the two volumes—and are followed by a narrative of Mr. Hoar's career in the stormy state politics of Massachusetts during the Free-soil movement. Then comes the history of Mr. Hoar's legislative services, first in the House of Representatives and later in the Senate, to

which are added occasional parenthetical chapters dealing with the Republican national conventions attended by Mr. Hoar, his European journeys, and his reminiscences of lawyers, orators, and other distinguished men. Merely to enumerate the important events in which Mr. Hoar took part during this long career would be impossible in a review of moderate dimensions; suffice it to say that from the time he entered the House, in 1869, to the present day there has scarcely been any significant political episode in Congress in which he did not play an actual part, modestly and most entertainingly described in these two volumes.

But perhaps the strongest impression derived from the nine hundred pages is the revelation of character they contain, and this in spite of the fact that the author's private life is passed over for the most part in silence or with a few references of perfect modesty and dignity. Yet since it is not the province of the REVIEW to study the man himself, but rather the historical significance of the work, one must pass by the tempting opportunity and touch upon those traits only that affect the accuracy and historical value of the descriptions of men and events. Such is the honesty, frankness, and transparency of the writer that this is not a difficult task.

The most striking feature of the autobiography from a historical point of view is the prominence of the author's political preferences. Senator Hoar is a consistent individualistic liberal of the old school, a firm believer in the dignity of human nature and the rights of man. Standing squarely on the preamble to the Declaration of Independence, he maintains the justice and essential wisdom of the Reconstruction measures with the same earnestness as that shown in his opposition to the forcible annexation of the Philippines. By these principles he judges men, measures, and parties, and only through their application does he expect to see present difficulties solved. He says:

We should have had little difficulty in dealing with the Negro or the Indian, or the Oriental, if the American people had applied to them, as the Golden Rule requires, the principles they expect to apply and to have applied to themselves. We have never understood that in some essential matters human nature is the same in men of all colors and races. Our Fathers of the time of the Revolution understood this matter better than we do (I. 259).

Holding to this view, it is impossible that Senator Hoar should sympathize with or even comprehend a Southern man or an imperialist. Practical difficulties he admits; he is willing to concede that "a large number of the men who got political office in the South, when . . . the Republicans were still in power, were of a character that would not have been tolerated in public office in the North" (II. 161), and that the Filipinos are "just coming out of barbarism", but these in his mind count as nothing before the demands of human equality and human rights.

Senator Hoar has in addition to these principles an almost religious belief in the past and present merits of the Republican party, and repeatedly takes occasion to define his position. He is not a partizan

from prejudice, he says, but as the result of "as cool, calculating, sober and deliberate reflection as I am able to give to any question of conduct or duty". Accordingly he "believes with all his heart and soul in the principles of the Republican party", and such being the case, nothing will induce him to leave it. It is true, he admits, that there was great corruption under Grant, but adds:

It never occurred to me that these abuses furnished any reason for placing the powers of the Government in the hands of the Southern Democracy, or their ally, Tammany Hall. If the men who saved the Union were not to be trusted to keep it pure; if the men who abolished slavery could not carry on a Government in freedom and in honor, certainly it was not likely that the men of Tammany Hall, or the men who had so lately attempted to overthrow the Government, would do it any better (I. 309).

An additional reason in his opinion for adhering to the Republican party is that it contains most of the good men of the country, while the Democratic party contains most of the others. Nothing could be more explicit than this:

The Republican Party, whatever its faults, since it came into power in 1860 has been composed in general of what is best in our national life. . . . On the other hand their antagonist has been, is, and for an indefinite time to come will be, controlled by the foreign population and the criminal classes of our great cities, by Tammany Hall, and by the leaders of the solid South (I. 200).

Writing, then, as an honest partizan, frankly biased on events not within the limits of the Republican party, Mr. Hoar contributes a mass of anecdote, political and personal. In the Reconstruction period and more recently he frankly admits the party's defects and mistakes, but he describes nothing novel beyond some personal incidents. Evidently Senator Hoar's own philosophy of history is Carlylesque. He is especially fond of showing the dependence of a chain of important events upon the error of some one man or the choice of some small group. Since history appears so largely an affair of persons in Senator Hoar's eyes, his attitude toward persons becomes of importance; and here we find him a man of great kindliness, optimism, and generosity — toward Republicans. He endeavors to see the good side of people, to give men their due, and when he feels himself biased in any one's disfavor, he usually makes a frank admission of the fact. For the men he wholly likes he cherishes an unstinted admiration and upon them he pours out superlative eulogy. Yet Mr. Hoar's judgments, while highly optimistic, are by no means wholly indiscriminating; his heroes are not all perfect, and in his descriptions of their weak points he often shows a pen keen as well as humorous. What wins him is evidently personal warmth and kindness. Even Democrats, Southern fire-eaters, whose principles were utterly abhorrent, receive kindly notice from this reason in several cases.

On the other hand, the man of bitter tongue, brusqueness, or intolerance is either ignored or treated with scant patience. Over President Harrison's lack of urbanity the author laments with constantly recurring

regret that so worthy a man — and a Republican at that — should be so lacking in tact. The few men whom Senator Hoar clearly dislikes are almost all men of sharp speech, such as Conkling, Ingalls, Butler, Wendell Phillips, and Tillman. Democrats in general Mr. Hoar passes over with slight mention, if we except the few Southerners he found attractive. To one group of men, however, the author never fails to refer with contempt and asperity — the independents. "It is said that no man is a hero to his valet", he remarks (I. 313). "The reason is . . . that the valet cannot see anything that is great and noble, but only what is mean and base. The history of no people is heroic to its Mugwumps." Elsewhere he says: "They have commonly discussed the profoundest and subtlest questions with an angry and bitter personality which finds its parallel only in the theological treatises of the dark ages. It is lucky for some of us that they have not had the fires of Smithfield or of the Inquisition at their command." Still again he speaks of the independent newspapers, who "welcomed any opportunity to support their theory that American public life was rotten and corrupt". One cannot help feeling that since the principles of most of the mugwumps are identical with those of Mr. Hoar, the antagonism felt between them reduces itself largely to a question of manners.

A few statements of fact deserve discussion. The assertion (I. 145) that "the Free Soil Party derived its chief strength . . . of numbers . . . from the Whigs" seems questionable when the votes are studied. Unless we are to suppose a great migration of Democrats to the Whig ticket in 1848, at least two-thirds of the new party must have been drawn from the Liberty and Democratic ranks. Again, in saying that "the Liberty Party . . . was willing to support the candidates of other parties who were personally unobjectionable", whereas "the Free Soil Party . . . determined that no person should receive its support for any national office who himself continued his association with either of the old political organizations", an entirely false impression is created. In fact, the Liberty party adhered rigidly to its own candidates, while the Free-soil party made more coalitions than any other third party before the days of the Populists. In the same volume, page 285, Chase is represented as being mainly responsible for the issue of legal tenders in 1862, and as their original advocate; but Chase's latest biographer makes it clear that he took the step with great reluctance and only in response to Congressional pressure. In the second volume, in discussing the Reconstruction period, Mr. Hoar says, page 162, "Suffrage was conferred upon the negro by the Southern States themselves"; but while this is technically true, the method of its conferring under the terms of the Reconstruction acts scarcely left it a voluntary process. It is in such statements as this that Mr. Hoar's unconscious partizanship becomes evident, but its most surprising result is seen in the twice repeated assertion that in "the first sixteen years of the Government, which included the Administrations of Washington and John Adams and the first term of Jefferson . . . there was not only more corruption in proportion than there had

been under Grant, but there had been more in amount, notwithstanding the difference in population" (I. 309). That the handful of officeholders, transacting the modest finances of a small nation under such men as Washington, Adams, and Jefferson, should have been thought capable of exceeding in amount the corruption of the Reconstruction administrations in a time of general inflation, indebtedness, and speculation is almost unthinkable, and cannot be taken seriously. The context shows that Mr. Hoar's opinion was formed as the result of some study undertaken during the Belknap episode in Grant's second term for the purpose of defending the administration. What was then said as a plea in mitigation for the Republican party is now repeated as though it were ascertained history.

Perhaps the kernel of the work lies in the author's summary of his own contribution to recent history, in places where he claims to have exercised decisive influence. Among such are his suggestion of several appointments to Presidents Hayes, Harrison, and McKinley, his membership of the Electoral Commission of 1877, his share in the nomination of Garfield in 1880, and the authorship of some important bills. He maintains that whenever he has differed from his party in any policy, he has been justified by the event. "In every single instance unless the question of the Philippine Islands shall prove an exception . . . the party has come round, in the end, to my way of thinking."

But the permanent value of the volumes, apart from their wealth of anecdotal and personal material, will be in the picture of the career of a conscientious public servant, who could truly say that his life was spent in unselfish legislative duties, which brought neither riches nor inordinate power. "I think I may fairly claim", he modestly says, "that I have done my share of the work of the Senate and of the House to the best of my ability. Senator Edmunds when he left the Senate was kind enough to compliment me by saying that the whole work of the Senate was done by six men, of whom I was one." That this opinion is no great exaggeration appears when one studies the chapter where Mr. Hoar's lifelong committee service is described. He is a true type of the older statesman, the liberal Puritan, if the term be not a solecism, of the early nineteenth century, a type now fast disappearing. How many of our leading senators could say as does Senator Hoar, "I have never lifted my finger or spoken a word to any man to secure or to promote my own election to any office"?

THEODORE CLARKE SMITH.

Dochet (St. Croix) Island: a Monograph. By W. F. GANONG, M.A., Ph.D. (Ottawa: J. Hope and Sons; Toronto: The Copp-Clark Company; London: Bernard Quaritch. 1902. Pp. 127-231.)

THIS is the separate issue which really appeared in the summer of 1903, and is to form a part of the *Transactions of the Royal Society of*

Canada, second series, 1902-1903, in Section IV. of Volume VIII. Although presented to the Royal Society on May 27, 1902, its late publication is due to unnecessary delay by the printer.

Dr. Ganong, who is a native of St. Stephen, New Brunswick, has been familiar with this island and its surroundings from early boyhood, and it has occupied a considerable place in his studies for many years, particularly in connection with his *Monograph of the Evolution of the Boundaries of the Province of New Brunswick*, published in the seventh volume, second series, of the *Transactions of the Royal Society of Canada* (see the REVIEW, VIII. 364). The object of this study is "to set forth, as accurately, fully, and clearly" as possible "all that is known of the history of this island". To this end Dr. Ganong writes about the island's geography, geology, and natural history; explains its changing nomenclature; records the principal maps which bear upon its cartography; and defines the literature and records from which its place in history may be ascertained. He has divided the history into four periods. Sieur de Monts, accompanied by Champlain, discovered the island in 1604 and began a settlement there. The first period relates to this settlement and to events as far as the grant of Razilly in 1632. Three original works are the sole sources for the greater part of this period, and all subsequent writers have had recourse to them for their facts. Dr. Ganong gives full extracts of their original French texts with translations, liberally annotated. They are Champlain's *Voyages* (1613), Lescarbot's *Histoire* (1612), and *Le Mercure François* for 1608 (printed in 1611). The second period deals with the island's important relation to the northeastern boundary controversies, and in the determination of the River St. Croix as the international boundary between the present province of New Brunswick and the United States, 1796-1799. In this section Dr. Ganong prints a number of important documents from manuscripts in private hands, and his analysis of the island as a bone of contention (its name at the time, curiously enough, was Bone Island) is of the highest importance for the history of our international boundaries. The third period explains its modern history from the first permanent settlement of the St. Croix to the year 1902, and the last consideration is given to the probable and desirable future of the island.

Dochet (pronounced locally Doshay) Island is situated in the River St. Croix, at about where the river empties into Passamaquoddy Bay, in latitude $45^{\circ} 07' 44''$, and longitude $67^{\circ} 08' 03''$. It has without doubt the distinction of being one of the smallest islands that ever figured in a great international dispute, for it "was the chief determinant in fixing the St. Croix as the international boundary". It is now occupied solely by one of the United States light stations, consisting of a house with a revolving flash-light, and various lesser buildings belonging to the station, together with a small shed used by weir fishermen. Yet concerning this seemingly unimportant place of to-day Dr. Ganong has succeeded in bringing together a mass of historical data sufficient to make a monograph of about one hundred closely printed octavo pages, appropriately illus-

trated, and enhanced by a new survey. The results are a credit to the author and a boon to the historical student. Moreover, the appearance of this study is very timely, since the three-hundredth anniversary of the discovery of the island occurs this year, and Dr. Ganong fittingly suggests that the occasion be commemorated with dignified and appropriate ceremonies; that the island be dedicated "to the free use of the people forever", and that a graceful monument, recording the events and commemorating the persons prominent in its history, be erected there by the historical societies of Maine and New Brunswick.

VICTOR HUGO PALTSITS.

The twenty-fifth revised edition, recently brought out at Leipzig, of Putzger's *Historischer Schul-Atlas*, is now offered by Lemcke and Buechner (New York, 1902), with an English rendering of the introduction and explanatory notes, and a German-English glossary and index of names. Many additional maps are furnished; without expanding the bulk of the book, by utilizing the backs of the maps included in previous editions. The only noticeable change in former maps is in the color-scheme used, but this in itself constitutes a great improvement, for in general the same color is used for a state or country throughout the series devoted to a period, whereas in former editions no such rule was followed, and the result was often confusing. The translation of the explanatory notes accompanying the work, but not bound with it, makes the work itself more easily useful to young students, but as much cannot be said of the glossary of German-English names, since in the alphabetical arrangement the German names have been placed first, followed by their English equivalents. The principal usefulness of the atlas for students who do not read German is in the ready location of places noted in English historical readings, and for this reason the English names should have preceded the German in the glossary.

J. B. Bury's edition of Edward A. Freeman's *Historical Geography of Europe* (New York, Longmans, Green, and Company, 1903, pp. lii, 611) contains little new matter; the work is practically what it was in the two editions issued over twenty years ago under the care of the author himself. Indeed, as Professor Bury suggests, it is a work that should never need many changes; with a few brief additions from time to time, it may be "as fresh and as useful to students a hundred years hence as it is to-day". Accordingly, in the way of changes for this third edition, he has considered it sufficient to notice at the appropriate places the few shiftings in European political geography since 1881; to modify, omit, or add some foot-notes; and to correct occasional trifling errors. He even leaves undisturbed, save by an editorial caution, the section on "Geographical Distribution of Races", in which Mr. Freeman's well-known use of the term Aryan is especially displayed. The maps illustrating the text, which were first published as Volume II., appear separately now as then, but also as a distinct work, with a title of its own: *Atlas to the Historical Geography of Europe*.

E. W. Dow.

The Study of Ecclesiastical History. By William Edward Collins, B.D. [Handbooks for the Clergy, edited by Arthur W. Robinson, B.D.] (London, New York, and Bombay, Longmans, Green, and Company, 1903, pp. xvi, 166.) This is an unpretentious handbook on historical method, by the professor of ecclesiastical history at King's College, London, author of *The English Reformation and its Consequences* (1901), and contributor to the second volume of *The Cambridge Modern History*. The book is superfluous for those who know their Bernheim, but will no doubt be found useful by English college students and young clergymen, for whom especially it was written. Mr. Collins insists upon adherence to the "scientific" method as a prerequisite for studying the history of the church, as well as other history. *Ceteris paribus*, "the best historical student will make the best ecclesiastical historian" (p. 12), yet to study the church most profitably, one must sympathetically view its history "as centered in the faith of Christ", which the life of the church sums up (p. 6).

There are two chapters on historical method in general, based largely upon Langlois and Seignobos, and four of elementary advice and suggestion, relating more particularly to the church itself. The book concludes with a short and roughly classified bibliography of some 300 titles, giving preference to those in English. The omission of an index is hardly serious. The *Translations and Reprints* mentioned on page 109 are published by the University of Pennsylvania, not by Columbia. Hahn's *Bibliothek der Symbole* is ascribed to the wrong editor (p. 147), and by some blunder Harnack's *Ausbreitung des Christentums* appears among the works on canon law (p. 148).

J. W. PLATNER.

Dr. Edmund von Mach's *Greek Sculpture: its Spirit and Principles* (Boston, Ginn and Company, 1903, pp. xviii, 359) "is addressed to all students of art, to executing artists, and to the general public", and is not without its interest for teachers and students of Greek culture-history. The book is divided into two parts. Part I. deals with general characteristics and principles: Part II. is a history of the development of the various forms of sculpture, in the round and in relief, illustrated by descriptive discussions of the more famous examples. Excepting the fragmentary and vague introductory chapters on general principles, the exposition is clear, readable, and not too technical, and, in consequence, is well adapted for the intelligent layman. The most important contribution for the special student is the discussion, Part I., Chapters V.-VIII., of the principles of relief sculpture. A few of the author's statements on points of general history are erroneous or misleading. The photographic reproductions scattered throughout the text, as well as the group of forty plates at the end of the volume, add much to the value and attractiveness of the work.

In Greek Votive Offerings: an Essay in the History of Greek Religion (Cambridge, University Press; New York, The Macmillan Com-

pany, 1902; pp. xv, 463), Mr. W. H. D. Rouse has brought together the accumulations of ten years of diligent and learned research. Understanding a votive offering to be, strictly speaking, "whatever is given of freewill to a being conceived as superhuman", the main purpose of his book "is to collect and classify those offerings which are not immediately perishable; and by examining the occasion of their dedication, and the statements made about it, to trace if possible the motives of the dedicant and the meaning which the act had for him." Beginning with the worship of the dead and the chthonian deities, the author passes next to consider tithes and first-fruits, devoting the remainder, and greater part of the treatise to important occasions for the dedication of votive offerings. His conclusions are in the main conservative. Since Mr. Rouse is the first modern writer dealing with the subject as a whole, the work should be of great value as a work of reference to the student of Greek antiquities; but the method of arrangement and the array of facts would keep any one else at a respectful distance.

A. L. C.

That vast undertaking, *The Victoria History of the Counties of England*, is making such steady progress that it seems not unlikely that the hundred and sixty volumes of the history proper, and, possibly, the forty supplementary volumes of genealogies of leading county families may be completed within the eight years specified by the projectors of the series. Since, at the present writing, only the initial volume on any one county has appeared, it is not yet possible to form more than a tentative estimate of the value of the work from the scholar's point of view. Certainly every safeguard has been taken to insure thoroughness and accuracy. The advisory council having supervision over the whole includes a list of men each of recognized authority in his particular field. In addition a body of "sectional editors" are coöperating with local investigators in various departments, while still another committee of experts is directing the search of records. The names of the late Lord Acton, of Sir Frederick Pollock, and Messrs. F. York Powell, Round, Tout, Tait, Stevenson, and Firth, on one or another of these groups promises well for the strictly historical side of the enterprise.

Following those on Hampshire and Norfolk, the two volumes now before us (Westminster: A. Constable and Company, Ltd.; New York: E. P. Dutton and Company) form in each case the first of a series of four on Worcestershire and Surrey. Mr. J. W. Willis-Bund edits the former, Mr. H. E. Malden the latter. In both about half the space is devoted to natural features, while the remaining chapters are of more special interest to historical students. For Worcestershire "Early Man", "Romano-British Remains", "Anglo-Saxon Remains"; and the Domesday Survey are treated by B. C. A. Windle, F. Haverfield, Reginald A. Smith, and J. Horace Round respectively; in the Surrey volume "Early Man" is by George Clinch, "Anglo-Saxon Remains" by Reginald A. Smith, and the "Introduction to the Surrey Domesday" by Mr. Round.

The editor furnishes the text of the Domesday Survey and a chapter on the political history of the county up to the present time. An essay on Romano-British remains is to follow. For historians one of the most valuable portions thus far issued is Mr. Round's admirable series of studies on the local details of the Domesday Survey, supplementing as it does the recent investigations of Maitland and others in a thorny territory. A pedigree of the Knightley families of Fawsley, Northampton, edited by Messrs. Oswald Barron and W. Ryland D. Adkins, furnishes a specimen of the exhaustive and painstaking fashion with which the genealogy is to be treated. The external features of the work as a whole deserve high praise: paper, printing, binding, and, above all, the innumerable illustrations, maps, and plates display the nicest taste and finish of execution. Unfortunately the bulk and expense of the complete set will place it beyond the reach of most; but the volumes on each county are sold separately, and from the list of subscribers it is evident that the whole work will be accessible in many American libraries.

A. L. CROSS.

Dr. Theodor Lindner, in the first two volumes of his history of the world since the Germanic migrations, covered both much space and much time, since he dealt with peoples of Asia as well as of Europe and carried the narrative from the decline of Rome to the thirteenth century. But having thus reached a period when the facts to be considered increased alike in extent and interest, he treats in the third volume only of Europe, and besides only of the thirteenth, fourteenth, and earlier fifteenth centuries (*Weltgeschichte seit der Völkerwanderung*. In neun Bänden. Dritter Band. Stuttgart and Berlin, J. G. Cotta'sche Buchhandlung, pp. x, 592). Within this relatively restricted field he has a twofold aim: first, to describe that civilization which had gradually developed in western Europe under the guidance of the Christian church; and then, to show how out of the régime where this civilization, with its church-maintained unity, prevailed, disintegration inevitably came forth. The rise of commerce and industry, with their accompanying money-power, enabled folk, that had hitherto only toiled, to gain civil and political rights, especially through organizations in the towns; states also grew strong, and national developments began. Thus laymen gradually freed themselves from ecclesiastical tutelage. They begot another way of viewing the world, and eventually their way prevailed. The story of how it prevailed is long; only a part of it is told in Dr. Lindner's third volume, the part concerning the fall of the political power of the popes. The heads of the church lost ground especially in the struggles with the king in France and the emperor in Germany; also in the sad period of the great schism; and their victory over the councils reestablished them ecclesiastically rather than politically. The rest of the story runs on into the seventeenth century, and will be told in the next two volumes. This third volume, like its predecessors, is accompanied by selected bibliographies and an index of persons and places. Like its predecessors, also,

it reads easily, and, besides its cyclopedic value, has that kind of merit which may appear when a subject of so many parts and so diverse connections is treated by a single writer.

E. W. Dow.

Medieval and Modern History. By Philip Van Ness Myers. Part II. *The Modern Age.* (Boston, Ginn and Company, 1903, pp. viii, 650.) This revision of the second part of the author's *Medieval and Modern History* is perhaps even more successful than that of the first part recently appearing under the title *The Middle Ages*. The characteristic changes are the same: the addition of much new matter (the new book being nearly twice as long as the old second part), many changes of emphasis and corrections of small errors, and the insertion at the end of each chapter of very considerable bibliographies, both of source-material and secondary works. While many of these are so extensive as to bewilder the high-school pupil, they can be of great service in the hands of a thoroughly competent teacher, and for their own reference college teachers as well as high-school teachers may make considerable use of these very conscientiously and ably chosen lists.

The good points of the book are many; one feels that there are few really important conclusions reached by scholars of history that are not to be found here. Never taking too much knowledge for granted, it is sane, even, understandable, and interesting. It is distinctly narrative and objective. Of the new parts, written always in a more scholarly tone and as if designed for a somewhat older audience, Chapters VII., XII., and XXIV., on the divine right doctrine, eighteenth-century England, and late European expansion, are especially good.

One may justly criticize devoting six of the thirteen pages on Elizabeth to Mary Stuart and the Armada, or relegating to a foot-note all mention of cabinet government; also it may seem to lower the tone of a history to quote dying words seventeen times or to tell how many strokes of the ax sufficed to cut off Mary Stuart's head. But the well-known faults of the author which these things illustrate are much less apparent in his later work.

A. B. WHITE.

Les Publicistes de la Réforme sous François II et Charles IX, par Paul F. -M. Méaly. (Paris, Fischbacher, 1903, pp. 270.) The origin of the political ideas of the Revolution is at present one of the subjects of the day. The most generally accepted view, which gives the credit of it to the philosophers of the eighteenth century alone, is more and more being overthrown by the historians, and the time is not far distant when recognition will be given the publicists of the sixteenth century for the part which is theirs in the building of the modern state.

M. Méaly's volume is a valuable contribution to the study of the political literature of the French Reformation. The author has assumed the task of exploiting the lampoons which were produced just after the

religious schisms during the troubled reigns of the last of the Valois, and has fulfilled it with entire success. His study, well written, replete with excerpts and documents of prime value, forms a book which can be recommended to the general public as well as to the specialists. The latter will have but one criticism to offer, but that is of a fundamental character. The author is too limited in his study of French sources, not only those belonging to the period which he has studied, but also those appearing in publications of our own times. Two tyrannies in particular in the sixteenth century called forth the indignant protest of the reformers and the appeal by them from royal to popular sovereignty: that of Bloody Mary in England, and that of Charles IX. in France. The protestation of Mary's victims, refugees upon the continent, preceded that of the Huguenots. The latter heard the outcry and profited thereby. This fact of first importance should have been taken into account other than by a brief foot-note on John Knox. In regard to the works of our own time, I will confine myself, in order not to exceed the space at my disposal, to reminding M. Méaly of L. Ehinger, the latest biographer of the author of the *Franco-Gallia*, who published at Basel in 1892 a life of Franz Hotman, wherein might have been found many useful suggestions as to the career and character of the professor-publicist of Geneva.

CHARLES BORCEAUD.

The tenth volume of *The Camden Miscellany* (London, Royal Historical Society, 1902, pp. xxi, 139, xxiv, 144, 21) contains "The Journal of Sir Roger Wilbraham, Solicitor-General in Ireland and Master of Requests, for the years 1593-1616, together with Notes in another Hand, for the Years 1642-1649", edited by Harold Spencer Scott; "A Book of the Travaile and Lief of Me, Thomas Hoby, wth Diverse Things woorth the Notinge", edited by Edgar Powell; and "Prince Rupert at Lisbon", edited by the late S. R. Gardiner. About one-half of Wilbraham's *Journal* is printed, while the omitted passages, dealing mainly with literary and legal matters, are briefly described in the table of contents. His entries concerning English affairs deal with prorogations and dissolutions of Parliament, with speeches of the sovereign and ministers, with debates in Parliament and discussions in the Privy Council. Sir Thomas Hoby (1530-1566) is chiefly known to modern scholars as the translator of Castiglione's *Il Cortegiano*. The autobiography here printed covers the period from 1547 to 1564 and has to do mainly with his travels on the continent. The writer's opportunities were exceptional, from the fact that his elder brother, Sir Philip, was for many years ambassador to the court of Emperor Charles V. The papers relating to Prince Rupert's coming to Lisbon with the king's fleet in 1649-1650 consist of a narrative and accompanying letters, which are chiefly significant as proving that King John IV. of Portugal deliberately planned to support Rupert against the Commonwealth, and to give him the liberty and protection of his ports.

A. L. C.

The Regency of Marie de Médicis, 1610 to 1616. By Arthur Power Lord, Ph.D. (New York, Henry Holt and Company, 1903, pp. x, 180.) The work is described by its author as a study of French history from 1610 to 1616. Presumably it is a postgraduate thesis, and as such it is entitled to credit. Mr. Lord has examined the records and memoirs of the period, and his work is based upon proper historical material. It is fairly accurate in the account of the intrigues and plottings of the great nobles during the minority of Louis XIII. All this is commendable and shows care, industry, and correct methods of study.

How valuable the book may be to readers is another question. The work itself is of value to the man who does it, and that is much. Any historical study which is accurate, the result of honest and industrious examination of the events of some period in the past, has a sufficient *raison d'être*, and justifies its own existence. The notion that no book should be published unless it adds largely to the sum of human knowledge or possesses literary qualities of a high degree is nonsense. There is no more reason for requiring inspiration in a number of pages bound together as an octavo than in a number of pages fastened together as the Sunday edition of a New York newspaper.

If one were to be critical, he could suggest that the plots and counter-plots of Condé and his associates, to an account of which this work is devoted, do not deserve the space given them. They were the obscure intrigues of men who in the course of three centuries have themselves become obscure. Some lessons as to the character of the French nobility and the French government might be drawn, but Mr. Lord has not endeavored to draw them. Indeed, the abundance of minor detail makes it difficult to obtain a satisfactory view of the general situation. We doubt if a person not familiar with the period would have a clear idea, even of its political ups and downs, after reading this book. The event of most importance was the meeting of the States-General in 1614, but neither as to the general character of the body, nor as to its particular working at this session, would the reader obtain any valuable information.

There are occasional errors in the work. Mr. Lord says at page 90, speaking of the sale of judicial offices, "the Nobles, always poor, had no money to pay out when the offices were put on the market". This is a very inaccurate generalization. Some nobles were poor and many were rich; it was not because they had no money that they did not fill judicial office. Again, at page 92 he says, "The pensions of the Nobility were another invention of the great Henry", etc. Surely Mr. Lord does not think that granting pensions to members of the nobility began with Henry IV. Such slips probably indicate carelessness, otherwise they would betray a very superficial knowledge of French history.

JAMES BRECK PERKINS.

Mazarin, by Arthur Hassall, M.A. (New York, The Macmillan Company; London, Macmillan and Company, Ltd., 1903, pp. xv, 187),

is one of the recent volumes in the "Foreign Statesmen" series, edited by J. B. Bury. It is based mainly on Chéruei's two well-known volumes, and therefore adopts that author's rather rosy view of Richelieu's successor. In fact, Mr. Hassall seems to have been at pains to justify Mazarin's right to a place beside Charlemagne, Philip Augustus, Mirabeau, and the other foreign statesmen. "As a foreign politician and diplomatist Mazarin has had few equals among French statesmen, and he deserves full credit for his great diplomatic triumphs. . . . On his death Mazarin left France in a stronger position than she had enjoyed at any previous period in her history. Industrious, patient, subtle and adroit, Mazarin proved to be one of the most sagacious and successful statesmen in French history. He was essentially a diplomatist, and his greatest triumphs were triumphs of diplomacy" (p. ix). This assertion is several times repeated throughout the book, and it does in fact contain much truth, but the proof of its truth is scarcely to be gathered from Mr. Hassall's narrative. Mazarin's troubles in the early part of his rule he believes to have been due, not to his own character, unpopularity, and incapacity, but to the fact that he embodied the continuance and development of Richelieu's policy. Richelieu had abused the feudal and legal aristocracy by exile and execution; he had entered a foreign war and left the finances in a ruinous condition. In so doing he had sown the wind, and Mazarin reaped the whirlwind. In this also there is much truth, and we should gladly see some lucid analysis of the actual state of affairs in 1643 that would make us realize this truth by giving us a real grasp of the problems that Mazarin had to face. This Mr. Hassall has completely failed to give.

Of Mr. Hassall's style it is difficult to speak with patience. Sentences which have different subjects and different verbs and have no close connection with each other are continually coördinated with bewildering ands and buts and howevers. Endless names, dates, and unimportant details, without any underlying guiding idea to lend them significance, are forced upon the reader. Finally, as though in the body of the volume he had not already furnished names and dates *ad nauseam*, Mr. Hassall adds a list of them at the end. Be it said that they are mostly very accurate. But such a book as this ought to be a readable biography and not a Ploetz's *Epitome*. There is no index.

SIDNEY B. FAY.

Old Quebec, the Fortress of New France. By Sir Gilbert Parker and Claude G. Bryan. (New York, The Macmillan Company; London, Macmillan and Company, Ltd., 1903, pp. xxiv, 486.) The volume begins at the beginning of Canada, traces the eventful story of Quebec, and concludes with a chapter on the modern period, which brings the reader to the present day. It was doubtless the literary interest of the subject which invited the authors' attention to it, and one hardly need say that from the literary point of view the work is to be commended. It will provide many a general reader with both information and entertainment.

The historical student will, however, not only miss many things that a thorough history of Quebec might be expected to give, but will discover errors. For example: it is stated (p. 341) that the Quebec Act "held the French fast to their allegiance"; but Hey, chief-justice of Quebec, wrote the Lord Chancellor, August 28, 1775 (MS., Canadian Archives, Q, 12, page 203), "an Act passed for the express purpose of gratifying the Canadians . . . is become the first object of their discontent and dislike". It was in fact relished by only the small minority belonging to the upper classes; and Carleton informed the Earl of Dartmouth, November 5, 1775 (MS., S.P.O., Amer. and Ind., Vol. 327), "The Canadian Peasantry not only deserted their duty, but numbers of them have taken arms against the Crown." It was not Richard Montgomery, but his brother Alexander, who served under Wolfe at the siege of Quebec (p. 342). Montgomery did not capture Ticonderoga and Crown Point (p. 343). Carleton did not paddle to Quebec in a canoe (*ibid.*). It is not correct to say (*ibid.*) that "Citizens suspected of disaffection were banished" from Quebec, for Carleton's proclamation of November 22 ordered out of town only those — with their families — who would not take up arms. Arnold's expedition did not cross New Hampshire (p. 344). It did not go overland "from Boston to Point Lévi" (p. 347), for about a third of the distance was traversed in sailing vessels. Montgomery did not erect batteries on the St. Charles and at Point Lévi (p. 349). It is not true that he saw but one promising way of attacking Quebec (p. 351), for he had two plans, and the one he executed, though he deemed it "promising", was his second choice.

The book is fully illustrated; a considerable number of the pictures are finely engraved portraits. The sources of only a few are given, and the best originals have not been selected in all cases. Five useful maps and plans are presented. The index makes only seven pages.

JUSTIN H. SMITH.

Governor William Tryon, and his Administration in the Province of North Carolina, 1765-1771. By Marshall DeLancey Haywood. (Raleigh, N. C., A. Williams and Co, 1903, pp. 223.) This work, as the title suggests, covers a short period, and is almost wholly local in its point of view. It nevertheless is of much interest and value, though its statement is at times very disconnected. It could not, strictly speaking, be called a history of the administration of Governor Tryon; it is much more biographical and genealogical than historical. And when it deals with the purely historical, it does so in a narrative way. At no time does the author analyze and discuss the underlying forces of the years with which he is dealing. There is no mention or discussion of the territorial, fiscal, and judicial systems of the province, and no statement concerning the general position of the governor, council, or lower house of the legislature. To make the picture of Governor Tryon and his administration at all complete, it would be necessary to add a statement of these to what Mr. Haywood has said. Nor has the author made any

mention of what was the relation of the colonists to the crown of England; and this to the mind of the reviewer is a serious defect. When, for instance, we read Mr. Haywood's narration of the Stamp Act troubles in North Carolina, we feel that the author has not found the key to the situation, or at least that he has not shown it to the reader. It should, however, be stated that Mr. Haywood did not intend to look for the key; his purpose was to tell what had happened during Tryon's administration, not to analyze these happenings.

Though the work is only a narration, the author has rendered a good service to historical scholarship. His picture of Governor Tryon is much more in accord with the facts in the case than the picture which has hitherto been given of this picturesque colonial official. He has also added much to our information concerning many of the prominent colonists. His narration of the "Regulator" troubles, while to some extent partizan, has much of interest and value.

After speaking of the genealogy of Governor Tryon and of his becoming the chief magistrate of the province of North Carolina, Mr. Haywood takes up the chief events of his administration. He tells us of Tryon's tolerance in religion and of his advocacy of education among the colonists. He states the positions of the governor and of the planters of the lower Cape Fear section on the Stamp Act and the operation of the act in North Carolina, here and there digressing to give a biographical sketch of the chief leaders. The latter half of the book is devoted to the Regulator troubles. His narration of these is fairly full and interesting. He accepts Professor Bassett's view that the Regulator war was not a revolution but only a peasants' uprising, not a rebellion against the royal government, but against the local administration of the finances and justice. Perhaps the most important feature of his statement of this struggle is the fact that he has brought some of its leaders into a new light, out of the darkness into which many of the popular historians had cast them; and this is a valuable service, though the author himself is to an extent partizan in his position.

CHARLES LEE RAPER.

Anthony Wayne. By John R. Spears. [Series of Historic Lives.] (New York, D. Appleton and Company, 1903, pp. iv, 249.) This volume has been written in most painstaking fashion. The author firmly believes that, in spite of medals and banquets, Wayne was never appreciated fully; but that less competent and less deserving men were preferred to him. Even Washington, who certainly had the most ample opportunity for knowledge of Wayne's capabilities, hesitated to place him in charge of the army raised to subdue the Lake Indians after the defeats of Harmar and St. Clair, because, as the President put it, Wayne was "more active and enterprising than judicious and cautious. No economist, it is feared. Open to flattery, vain; easily imposed upon and liable to be drawn into scrapes". One could wish that Mr. Spears, taking this deliberate opinion of Washington's, had worked out the thesis. Then this

would have been the biography of a man of flesh and blood — a dashing, daring, fighting soldier, who repeatedly won success by audacity. With certain obvious limitations to the analogy, Wayne belongs to the same class with Sheridan and Sherman — to the class of great lieutenants and popular heroes. Mr. Spears, however, has preferred to make Wayne a hero by the arithmetical process; and the pages of the book fairly bristle with figures to show how often vastly superior numbers of the enemy were overcome or disconcerted by Mad Anthony's audacious attacks. As a result the reader is ever under the strain of not being able to believe that Wayne was quite as successful as the author thinks he was; and thus the reading becomes fatiguing. In his last campaign Wayne certainly won a great success, for which he had made careful preparation. After the Revolution St. Clair, Harmar, William Hull, and George Rogers Clark all lost the reputations they had won; but in Wayne's case neither his storming of Stony Point nor his nipping in the bud the mutiny in the Pennsylvania line can compare with the service he performed in subduing the Indians of the northwest, thus preparing the way for the surrender of the posts retained by the British. And right here we have an example of how slowly history climbs the Alleghenies; for Mr. Spears seems never to have thought it worth his while to inquire into the causes which led the British commanders in Canada to take so bold a stand against the boundary provisions of the treaty of 1783. Nor is the faintest glimmer of light thrown on the still unsettled questions of chronology connected with the American possession of the northwest. In short, Mr. Spears, with all his labor, has prepared a compilation of facts rather than a contribution to history.

CHARLES MOORE.

Eighty Years of Union. By James Schouler, LL.D. (New York, Dodd, Mead, and Company, 1903, pp. xiv, 416.) This volume consists of extracts from the author's well-known *History of the United States*. Both from its subtitle (*Being a Short History of the United States, 1783-1865*) and its professed model (Edgar's condensation of Parkman, *The Struggle for a Continent*) it lays claim to consideration as being something more than a mere collection of valuable extracts. Whether the claim is valid must depend principally upon the character of the editorial work bestowed upon the volume.

In selecting his extracts the editor has certainly picked out the passages that would best bear transplanting; yet it is a fair criticism that upon this test the claim made for the volume is not altogether vindicated. Rather more than a fourth of the space is devoted to characterizations of important personages. Where so large a matter is to be condensed into so small a compass this is disproportionate. Only very little space is allowed for the description of social and political conditions, and in consequence the narrative of events proceeds without sufficient background for intelligent comprehension. The method of the volume makes necessary the omission of many important events, but excellent judgment

has been shown in the selection of those to be included. The most serious single defect of the book is the manner in which the materials are put together. In the volume which served as model, numerous bracketed paragraphs connect the extracts and thus produce the effect of a continuous and fairly comprehensive narrative. Here there is nothing of the kind nor any equivalent. With many of the extracts a slight alteration of the opening sentence would have done much to secure the desired unity, but even this seems not to have been done, save in a single instance. The omission is doubly unfortunate, as it robs the book of much of the interest which it might have possessed and contributes to the invalidation of its principal claim for consideration. Regarded as a collection of extracts, the volume has much merit. The admirable pen-portraits and other attractive features will doubtless stimulate many to read the more ample accounts in the *History*. Yet there are serious defects. The plan of adhering strictly to the text of the *History* has made necessary many elisions in the passages selected for reproduction. That these elisions are not indicated is perhaps pardonable in a book intended principally for the casual reader, but even in such a book three-fifths of the space devoted to the Jay treaty should not be given to Fisher Ames's speech, the account of the Monroe doctrine should not begin with the arrival of Rush's despatches at Washington, and the story of Jefferson's election to the presidency should not terminate with the counting of the ballot of the electoral college. There are few notes, perhaps twenty in all. Not more than six or seven of these are new, although the text contains many allusions to the omitted passages and hence often needs some explanation. The remainder are about equally divided between elucidations and citations of authorities, both most capriciously chosen. In the text there are no subtitles within the chapters, the apparent intent being that the numerous blank spaces should serve as equivalents. These, however, are inserted in most bewildering fashion. They do not correspond with the table of contents, are not in accordance with the spacing in the *History*, and often occur in the very midst of a topic.

FRANK MALOY ANDERSON.

History of Coinage and Currency in the United States and the Perennial Contest for Sound Money. By A. Barton Hepburn, LL.D. (New York, The Macmillan Company; London, Macmillan and Company, Ltd., 1903, pp. xiv, 666). Of all the parts of the economic history of the United States none has been more fully or more successfully studied than the financial history of our country. And of this section none has received more attention from American scholars than the history of American money. There would seem little room for another "History of Coins and Currency" in the long list of scholarly treatises on that subject, at least not until some new movement in our monetary legislation or a genuine reform of the national banking system offers new material to the investigator.

The book before us has this advantage over similar ones that have preceded it. It is written by one who for many years has been active in the financial world, first as superintendent of the New York state banking department, then as bank examiner and comptroller of the currency in the federal government, and during the past ten years as a leading official in prominent New York banks. His wide experience gives him a practical insight into the workings of the currency and banking systems of the country which no amount of scientific investigation can equal. His identification with the second Cleveland administration and its aims in monetary and currency legislation makes him, of course, a strong advocate of the measures which, for the time being, have put the silver agitation to rest. In his treatment of that agitation, which, as the title of the book indicates, forms one of its central points, some may object to the spirit of partizanship he displays. We are perhaps still too near to that "contest for sound money" reasonably to expect a perfectly dispassionate treatment of the great movement.

With this qualification, the book deserves high commendation for its successful treatment of the dramatic story of the successive cheap-money movements culminating in the passage of the Currency Act of 1900. No other book has told that story with equal breadth and precision, the genesis and development of the greenback, its yielding to the silver dollar, the varying attitude of the two leading parties toward the question of soft money, and the attitude of the successive presidential administrations toward this overshadowing question.

Voluminous appendixes will be found to contain much historical material not easily accessible to the general reader, such as the colonial currency and mint laws, some of Hamilton's reports, and the principal acts of the Federal Congress pertaining to money and currency. The only inaccuracy worth calling attention to is the occasional use of the term clearing-house certificate for clearing-house loan certificate. The omission of the word loan has, however, become too common to deserve more than passing comment.

J. C. SCHWAB.

The sixth volume of the *Public Papers of George Clinton* (Published by the State, 1902, pp. xlviii, 918) comprises documents covering the period from July, 1780, to May, 1781. The material is intrinsically interesting and contains much of value. Sufficient comment has already been passed upon the editorial work (see *AMERICAN HISTORICAL REVIEW*, VI. 391; VII. 402; VIII. 388). Nothing can be added, unfortunately. Even the policy of the editor with reference to illustrations is unchanged, this last volume containing a view of "The Odell House" at Dobbs Ferry.

H. A. C.

It is perhaps unnecessary to take *au sérieux* Thomas E. Watson's *The Life and Times of Thomas Jefferson* (New York, D. Appleton and

Company, 1903, pp. xxii, 534). If partizanship and brilliant dogmatic assertion constitute history, then this is history. The author is, however, himself so out of patience with those he calls "historians", that it may be that he does not wish to be classed among historical writers. If so, we will have to find a new classification for the proper labeling of the products of his pen. It is indeed regrettable that an author capable of writing so well should not write better; for, in truth, much of his description and narration is as vivid and brilliant as it is reckless. Take, for example, the chapter on the Genet episode: who could get from that chapter aught save a display of democratic pyrotechnics? How much ignorance does it show of the facts in the case that have been brought to light by the patient investigation of the despised historian. We cannot help thinking, however, that such a demonstrative, exclamatory, interjectory book as this is an extravagant example of what some reactionists from modern exact scholarship consider history should be. There is no small number of people who cry out for entertaining history, and some there are who wish it dramatized and novelized. But there are others, not few in number, who wish to know the facts, and are not yearning for the opinions and the oratory of historical poetasters. Of course history should be made just as interesting, just as entertaining, as the truth will permit. The really great historian is an artist as well as an investigator. But exclamation and allegation are not helpful in transmuting common mud into a marble statue, nor do mere brilliant sentences satisfy the person seeking truth and sober judgment and wise guidance.

Nelson and the Neapolitan Jacobins. Documents relating to the Suppression of the Jacobin Revolution at Naples, June, 1799. Edited by H. C. Gutteridge, M.A., late Scholar of King's College, Cambridge. (London, printed for the Navy Records Society, 1903, pp. cxvii, 351.) This volume contains the documentary evidence relating to Nelson's conduct at Naples in June, 1799. Of its contents, much was previously in print, but scattered throughout different volumes. Printed here for the first time are the logs of the *Seahorse* and *Foudroyant*, forty letters from Nelson to Acton in the early part of 1799, six letters from Queen Caroline to Lady Hamilton, and much of the correspondence between Hamilton, Nelson, and the court at Palermo from June 21 to June 30. The material here presented, with an English translation of papers not in that language, will enable the English reader to examine at first hand the charges brought by Southey and others against Nelson. With respect to these charges, the editor himself, in an interesting, well-written introduction, reaches an acquittal. On the principal point, the capitulation of St. Elmo, it appears indeed that Ruffo, in signing the capitulation, exceeded his instructions, and Nelson, in disregarding it, fulfilled the wishes of the court. On the whole, however, some will feel that such technicalities, as a cloak for Nelson's conduct, furnish but little more than the hem. Revigliano and Castellamare capitulated to Captain

Foote, and Nelson held, in this case, that the promise, since it emanated from an English officer, must be scrupulously observed. Is Italian honor less sacred? If Ruffo exceeded his instructions, he also reconquered a kingdom. And if this service was not enough to justify favorable consideration of his wishes, did not the garrison of St. Elmo, by capitulating in good faith, acquire rights which the court and Nelson were bound in honor to respect?

H. M. BOWMAN.

The Expansion of Russia, 1815 to 1900. By Francis Henry Skrine, F.S.S. [Cambridge Historical Series, edited by G. W. Prothero, Litt. D.] (Cambridge, University Press; New York, The Macmillan Company, 1903, pp. viii, 386.) A book dealing with the expansion of Russia is in truth very timely at this moment when the process is being so suddenly and violently checked, however temporarily. Still it is a pity that the use of the above title, perhaps through no fault of the author, provokes the sharpest criticism we have to make of this, the latest addition to the Cambridge Historical Series. The title, whoever chose it, is misleading, for it seems to imply that Russian expansion has chiefly taken place within the limits of the time indicated, which is far from being the case. To be sure, Russian dominions were greatly extended between 1815 and 1900, even if less so than were, during the same period, those of Great Britain and France, or than the United States, if we go back to include the Louisiana purchase. Nevertheless we must not forget that the expansion of Russia has been pretty continuous for some four hundred years, indeed it began more than twice as long ago. It was also most rapid in the seventeenth century, which saw the annexation of the larger half of Siberia. We therefore regret that Mr. Skrine appears to fall into the common error of regarding it as a recent phenomenon.

His book itself, though hardly laying claim to profound scholarship, is in the main quite satisfactory. After a few pages of rather rhetorical introduction, full of sweeping statements, some of which will hardly bear close scrutiny, the writer begins his narrative with the Congress of Vienna, and thenceforth he proceeds straight ahead without digression. His style is clear, his tone is impartial, and his judgment generally sound. He treats all his emperors with much sympathy, especially Alexander I. and Nicholas I., though he does not attempt to minimize the faults of either. He is also careful throughout, and only here and there does one notice a slip, as for instance when (p. 228) he speaks of Shamil at Gunib as having been blockaded into submission, whereas in reality the stronghold was scaled by some daring soldiers; and it is also an error to call the recession of Kulja "the only example of a voluntary recoil in Russia's eastward advance". The treaty of Nerchinsk with China in 1689 and of Resht with Persia in 1732 are two other notable cases.

These slight inadvertences are too few to affect the value of the work. Its limitations are of more consequence. Having to cover a good

deal of ground at a rapid rate, Mr. Skrine confines his "Expansion" to its territorial aspect. He therefore does not enter into questions of industrial development or into the growth of population during the last half-century, though these have done far more than her mere increase in acreage to add to Russia's power in recent times. Even the abolition of serfdom is treated in a manner so inadequate as to suggest that the author does not feel at home in the subject, which is unfortunate. In this respect his volume suffers by comparison with Kleinschmidt's *Drei Jahrhunderte russischer Geschichte*, but it is distinctly better as a whole than the *Histoire de la Russie depuis la mort de Paul I^{er} jusqu'à l'Avènement de Nicolas II* of Créhange and the *History of Russia from Peter the Great to Nicholas II.*, by Mr. W. R. Morfill, who by the way is erroneously termed G. Morfill in Mr. Skrine's bibliography. This bibliography, which includes authorities in Russian as well as in the western languages, is in the main well chosen, though like most such lists it appears at times a bit arbitrary. The maps are tolerable, the transcription of Russian names is usually careful and consistent. Altogether Mr. Skrine has produced an excellent little book.

ARCHIBALD CARY COOLIDGE.

Four Years under Marse Robert. By Major Robert Stiles. (New York and Washington, The Neale Publishing Company, 1903, pp. xvi, 368.) Major Stiles is a graduate of Yale and a Southern man who was a law-student in New York when the Civil War began. He returned to the south, joined the Richmond Howitzers, and, either as private or officer, served in the artillery till the end of the struggle. He writes as an intelligent observer of the things that came under his own eyes, namely, the life of the privates and of the lower officers. He was not in a position to speak with experience in reference to the larger movements of the army. Perhaps, too, if we may judge from his narrative, he is not a man well informed in the history of both sides of the war. But neither of these facts renders his book useless. Indeed, in a very important sense it is a valuable record. It gives with much vividness the details of the life of the private soldiers, their loyalty, their hopefulness, their patient endurance of privation, their susceptibility to religious excitement, their faith in their leaders, and their careless levity in the face of death and privation. Such a record goes far to explain the splendid soldierly qualities of Lee's ragged and famished troops. Major Stiles has told his story with commendable straightforwardness. At times one feels that he is too much of a partizan, and at other times one is apt to think that he admits to his pages too many trivial things. But one ought to remember that it is much for even a trained historical student to divest himself of his prejudices, and as to trivial things, that is a matter of taste. For the writer of Civil War history *Four Years under Marse Robert* will furnish much illustrative material. For the general reader it will prove itself an interesting and vivid narrative of a phase of our national history of which none of us ought to be ignorant.

JOHN SPENCER BASSETT.

Journals of Field-Marshal Count von Blumenthal for 1866 and 1870-1871. Edited by Count Albrecht von Blumenthal. Translated by Major A. D. Gillespie-Addison. (London, Edward Arnold; New York, Longmans, Green, and Company, 1903, pp. iv, 347.) As chief of staff to the crown-prince of Prussia in the campaigns of 1866 and 1870, Count Blumenthal played a considerable rôle, and was well placed to get the range of men of higher station than his own. The most noticeable thing about his *Journals* is the scant treatment which the great issues and achievements receive. His outlook is that of the subaltern, without the subaltern's attachment and devotion to a superior. His daily entries usually report the weather conditions, chronicle his not infrequent bodily ailments, find fault with the measures of his superiors and their failure to award him due recognition, and for the rest, reflect his commonplace vindictiveness toward the French and his low opinion of the masses of his own countrymen.

About many of these matters he must have been well informed, but his accuracy as a narrator cannot be thoroughly tested, because for the most part the data for verification are not at hand. In one conspicuous case, however, his lapse into misstatement is surprising. Neither the time of the surrender at Sedan, nor the place of meeting of the king and the emperor is correctly given.

His one contribution to our knowledge of the time is the successful refutation, so far as he is concerned, of Bismarck's charge that the opposition in high quarters to the bombardment of Paris was due to English petticoat influence and was therefore a bit of mawkish sentimentality. Count Blumenthal's wife was an Englishwoman, and he was opposed to the bombardment, but he was not moved thereto by political or humanitarian or sentimental considerations. His spontaneous outbursts against his country's enemies, actual or potential, leave no room for doubt upon that point, and he shows his teeth to French or English quite impartially, as the mood prompts. The exposition of the military grounds for the reduction of Paris by the method of starvation rather than by the use of cannon is clear and strong. And it was justified by the event.

JOHN H. CONEY.

Actual Government as applied under American Conditions. By Albert Bushnell Hart, LL.D., Professor of History in Harvard University. (New York, Longmans, Green, and Company, 1903, pp. xlv, 599). As the title indicates, the book emphasizes the present activities of political machinery in America. It is a comprehensive treatise upon the whole range of local, state, and federal government. The work is especially adapted for the use of students in high-schools and colleges. Each chapter is prefaced with a carefully assorted list of references for the guidance of students. The author does not profess to discuss legal and constitutional theories, but devotes the space at his command to description of the machinery of government and of its manner of working. Under the limitations thus imposed he has produced the most detailed

and thorough treatise on the subject that has yet appeared. In fact, the question may be fairly raised whether the limit has not been reached of a rational attempt to combine in a single volume a well-proportioned discussion of the entire scope of our political activities.

Professor Hart's book is indicative of a tendency to give large space to the dynamics of politics. While predominantly descriptive, it is also to a very limited extent expository, and the space which in earlier texts was devoted to explanation of principles is here occupied with a setting forth of the problems arising in practical politics. The attention of the reader is constantly carried from the mechanism of government to the methods of political activity. It is evidently not the author's primary intention to advocate reforms, yet he nevertheless advances many acute criticisms and observations upon defects in political organization and faults in political methods. Several pages are devoted to consideration of the party boss in politics; the maladjustment of party machinery to city politics is described with great clearness, and with the setting forth of defects there is intelligent discussion of methods of improvement. A good deal of attention is given to civil-service reform, both in its relation to the federal government and to state and municipal government as well. The author is to be congratulated upon his success in giving to a work of such limitless detail the air of up-to-date vitality.

Illuminating maps and diagrams and a good index add to the usefulness of the book.

JESSE MACY.

The Centralization of Administration in Ohio. By Samuel P. Orth, Ph.D. [Columbia University Studies in History, Economics, and Public Law, Vol. XVI, No. 3.] (New York, The Macmillan Company, 1903, pp. 177.) This is one of the series of five studies dealing with the centralization of control in the field of local government in as many different states. The administrative functions considered by Dr. Orth are "Public Education", "Taxation and Local Finance", "Charities and Corrections", "State Health Administration", and "Miscellaneous Functions" — the last embracing the powers of inspection (as of mines, railroads, food-products, etc.) exercised by the state by virtue of its police authority.

The tendencies toward centralization have been of slow growth in Ohio, and Mr. Orth has had to do a good deal of historical research to trace them, thereby bringing together much new and valuable material. His conclusions are summed up at the end of each chapter and are illustrated by statistical tables. In the field of education he points out that centralization has been making rapid progress during the last fourteen years, but still leaves much to be desired. He fails to note (p. 72) among the evidences of lack of centralization in this field the deplorable want of uniformity in the school year, which is subject to local variation in length from twenty-four weeks up to forty-four. In taxation he finds the centralizing movement shown in the change by which the state revenue is largely derived from taxes on corporations, and in the evolu-

tion of the supervisory powers of the state auditor. In charities and corrections he shows that a measure of concentration has been wrought by the moral rather than by the legal authority of the board of state charities; while in the spheres of public health and inspection, which are of much later growth, the central authorities have been vested with considerable power from the outset. A few slips in dates and minor facts have been noticed, but the monograph is none the less a distinct contribution on the side of the history of administration in Ohio.

WILBUR H. SIEBERT.

A List of Books (with References to Periodicals) on the Philippine Islands in the Library of Congress, with Chronological List of Maps in the Library of Congress. By A. P. C. Griffin, Chief of Division of Bibliography, and P. Lee Phillips, Chief of Division of Maps and Charts. (Washington, Government Printing Office, 1903, pp. xv, 397.) This is a reprint in separate form of a Philippine bibliography already issued as a Senate document. It is to be followed also by the publication in separate form of the *Biblioteca Filipina*, or Philippine bibliography, prepared by Dr. T. H. Pardo de Tavera, of Manila. The two may be expected to form the most complete and useful Philippine bibliography in existence.

The few students who have lately given some attention to Philippina in the United States will not be surprised at the length of the list of books and maps accumulated by the Library of Congress, in large part since 1898, since which time special efforts have been made in this direction. There are 142 pages devoted to titles of works on the Philippines prior to American occupation. These are classified by subjects, showing the Library of Congress to be best supplied in the sections of description, discovery and early exploration, ethnology, history, languages, missions, natural history, and political and social economy. It is difficult, however, to classify with precision a great proportion of the works on the Philippines, especially of the early friar-chronicles, which were discursions in pious vein on nearly every feature of Spanish conquest and Philippine (though not Filipino) life. For instance, the valuable fourteen-volume work of Father Juan de la Concepción (Manila, 1788-1792) is here listed under missions, when, as a matter of fact, it is the best historical work on the islands up to the nineteenth century. To note a small slip in the excellent bibliographical introduction by Mr. Griffin, the *Estadismo* of Father Martinez de Zuñiga does not cover the author's observations to 1818, the year of his death, but only to 1805 or 1806.

In the section devoted to writings produced by the last five years of American occupation, we find that the Library catalogues nearly two hundred volumes, aside from some two hundred and fifty public documents of the government of the United States. It is better supplied with miscellaneous writings on this period produced in Spain than with documents of the Filipino insurgents. Approximately one thousand articles in periodicals are catalogued, practically all appearing since May,

1898, and few foreign periodicals being cited aside from those of England. Yet this list does not, of course, deal with any articles appearing in the daily press, unless reproduced in more permanent form, nor is it, moreover, a complete list, though the publications not here listed are in the main unimportant. If some guide is needed as to the mass of data accumulated since 1898, it is none the less necessary for the whole preceding period of Philippine history; there has been a tremendous waste of ink both before and since 1898.

Mr. Griffin has appended very useful subject and author indexes. In the section devoted to maps and charts of the Philippines, 132 pages in all, Mr. Phillips has similarly appended geographical and author indexes. He has catalogued 860 maps and charts of the Philippines, or portions of the archipelago, from 1519 to 1903, to be found in the Library of Congress.

JAMES A. LE ROY.

NOTES AND NEWS

We have received a communication from Professor Jameson in which he states that in reviewing Volume VII. of the *Cambridge Modern History* (REVIEW, IX. 367, 368) he unwittingly did Professor McMaster an injustice in alluding to certain omissions in his chapters. He states that he has since been informed, though not by Professor McMaster nor with his knowledge, that the chapters by President Wilson and Professor Bigelow were already in print before Professor McMaster was invited to contribute the intervening chapters, and that he was requested not to duplicate anything which had already been covered.

After a long illness, filled with great suffering, Professor Hermann Eduard von Holst died at his home in Freiburg on January 20, at the age of sixty-two years, thus bringing to its close a career long, eventful, and varied. He was born on June 19, 1841, at Fellin, in Livonia, the son of a poor Lutheran clergyman. He received his early education in a private gymnasium in Fellin, and in the spring of 1860 entered the German university at Dorpat, where he spent three years. After two years at Heidelberg he received his doctorate, but the hardships and privations he had endured for the sake of his education left a permanent effect upon his health. In 1867, while in France, he published a political pamphlet on the significance of the attempt made the preceding year on the life of the czar, in which he criticized the Russian government and ministry so pointedly that only a timely warning saved him from possible exile in Siberia. As it was, he engaged a steerage passage to America and arrived in New York alone and without money. In the course of his struggle for bare existence he passed from the position of day-laborer to that of newspaper correspondent and teacher. The turning-point in his career was when, through the instrumentality of von Sybel and Friedrich Kapp, to whom he had become known, he was engaged by three Bremen merchants, interested in spreading in Germany better knowledge of American life, to write for German readers a few magazine or newspaper articles upon America. From this small beginning grew his *Constitutional History of the United States*. In 1872 he became Professor Extraordinarius at the newly-founded University of Strassburg, filling the chair of American history and constitutional law. Before leaving America to accept this position he was married to Miss Annie Isabelle Hatt. Before long he published the first volume of his *Verfassung und Demokratie der Vereinigten Staaten von Amerika*, which led almost directly to his becoming professor of modern history at Freiburg in 1874. In 1878 the Prussian Academy of Sciences sent him to

America to gather material for more volumes of his *Constitutional History*. During this and a later visit to America he lectured at several universities and received more than one offer of a chair of history. From 1881 to 1892 he actively engaged in public life, being a member of the Baden Landtag and part of the time privy councillor. In 1892 he came to the University of Chicago as head of the department of history, a position which he held until his death, the university refusing to accept his resignation when, in 1899, he was obliged to stop active work. As a historian his fame rests chiefly on his *Constitutional History*: other works of his are, *John C. Calhoun*, *John Brown*, and the *French Revolution Tested by Mirabeau's Career*. He was a stern moralist and valued history chiefly for its practical bearing on current problems. He can hardly be said to belong to the scientific school of historical writers, but his devotion to history, his keen insight, his masterly powers of generalization, give him a place high in his profession. Chief among the appreciations of his life and work may be noted the articles by Professors Jameson and Laughlin in *The University of Chicago Record* for October, 1903, and those in the *Nation* of January 28 and the *Review of Reviews* for March.

Parke Goodwin, formerly editor of the *New York Evening Post*, died at New York January 7. He was born in Paterson, New Jersey, in 1816, and graduated from Princeton. He was with the *New York Evening Post* for fifty years, and was for a time editor of *Putnam's Monthly*, and of the Brook Farm newspaper, *The Harbinger*. Among his best-known works are *Pacific and Constructive Democracy*, *Popular Views of the Doctrines of Charles Fourier*, *Cyclopedia of Biography*, *History of France*, and *Out of the Past*.

Rufus Blanchard, said to have been the oldest cartographer in the United States, died at Wheaton, Illinois, January 3. He was the author of a *Political History of the United States*, a *History of Illinois*, and a *History of the Northwest and Chicago*.

Richard Price Hallowell, author of *The Quaker Invasion of Massachusetts* and *The Pioneer Quakers*, died at West Medford, Massachusetts, on January 5.

Mrs. Mary Elizabeth Wormeley Latimer, novelist, contributor to the magazines, and author of several historical works of a popular order, died January 4, in her eighty-second year. She left about half-finished a book on modern Germany, which was intended to be the concluding volume in her series on various European countries in the nineteenth century.

The death of Sir Leslie Stephen occurred in London on February 22. Historical students will recall especially his work on *The Dictionary of National Biography*, of which he was editor until 1891, during the issue of the first twenty-six volumes. They will have in mind also, among numerous other titles, his *History of English Thought in the Eighteenth Century*, *Studies of a Biographer*, *The English Utilitarians*, lives of Sir

Henry Fawcett and Sir James Fitzjames Stephen, and recently a modest part as editor of the letters of John Richard Green.

Among recent deaths in the historical ranks is that of Ulysse Robert, whose service is attested by his *Inventaire des Cartulaires*, his *Inventaire Sommaire des Manuscrits des Bibliothèques*, his large part in the *Catalogue des Manuscrits des Bibliothèques de France*, which is now nearly finished; and by numerous other works, notably books on Pope Stephen X., Pope Calixtus II., and Philibert of Chalon.

The life and work of Mommsen were such as to call for considerable review in the historical periodicals of Europe. Attention may be called especially to the article by F. Haverfield in the January number of the *English Historical Review*; to the long account, by K. J. Neumann, in the *Historische Zeitschrift* (XCII. 2); to the brief but well-thought account by C. Jullian in the *Revue Historique* for January; and to the study by T. F. Tout in the *Cornhill Magazine* for February. The appreciative funeral address delivered by Adolph Harnack has been published in the form of an inexpensive pamphlet: *Rede bei der Begräbnisfeier Theodor Mommsens* (Leipzig, J. C. Hinrichs). At least one account among those in American periodicals should be mentioned, that by J. B. Carpenter in the *Atlantic Monthly* for March.

Dr. G. T. Lapsley, of the University of Pennsylvania, has been appointed lecturer and fellow in Trinity College, Cambridge, to take the place of Professor Leathes. His work will consist largely of lecturing and will be wholly in the field of medieval English and continental history.

Transitional Eras in Thought, by Dr. A. C. Armstrong (Macmillan, 1904), is "an inquiry into the development of western thought and culture, and particularly their development during the epochs" when they may be said to be in a state of transition. Throughout the book, however, the aim is to analyze the conditions and changes of the present age. The chapter on "The Historical Spirit and the Theory of Evolution" is of especial interest to the student of history. In it the author discusses the increased interest in historical studies and the change from the pragmatic to the scientific method, and seeks to discover both the causes and the results of this development.

The relation between history and sociology forms the subject of the opening article of the *Revue de Synthèse Historique* for October: "Histoire et Sociologie", by Paul Mantoux. Two other articles of the same number of this review may also be noted here: "La Philosophie de l'Histoire de Carlyle", by P. Hensel; and "Les Rapports de la Géographie Humaine avec la Géographie de la Vie", an account of progress of work in this field, with some suggestions as to work still to do, by P. Vidal de la Blache. The December number contains, among other matter, "Les Sources Psychologiques des Théories des Races", by F. Hertz; and the second of a series of articles by P. Huvelin, on work done and to do on the history of commercial law: "Droit Commercial (les Travaux

d'Ensemble et les Sources)". The first article of the series, which treated of the definition and general evolution of commercial law, appeared in the *Revue* for last August.

Messrs. Lawrence and Bullen, of London, announce a series of volumes under the general title of "The Story of Exploration", which are designed to give a complete history of the discovery of the globe from the earliest records up to the present time. Each volume will tell the story of the discovery of one region of the globe, and will be biographical as well as geographical in character, since the narrative will be centered round the men who carried on the work. The first volume of the series has already appeared, and is a record of the exploration of the Nile and its basin: *The Nile Quest*, by Sir Harry Johnston. Naturally several of the subjects to be treated relate to America: the St. Lawrence basin and its border lands; the western trails; the Mississippi basin and its border lands; and the Amazon and its feeders. The series is to be edited by J. Scott Keltie.

The nineteenth volume of the *Genealogist* (New Series; London, George Bell and Sons, 1903) offers as its leading feature "A Manuscript Relating to the Offley Family", which contains many quaint details upon the life and habits of the Elizabethan period. It is contributed by G. C. Bower. An article of interest for American history is on "Stephen Bachiler and the Plough Company of 1630", in which Mr. V. C. Sanborn, of Kenilworth, Illinois, aims to set before English antiquaries the main facts about the Company of Husbandmen, or Company of the Plough, in the hope of obtaining their help in tracing the reason for the company's existence and the origin of its known agents. There are also numerous other pieces, the most considerable among them being the conclusion of the "History of the Family of Wrottesley of Wrottesley".

A catalogue which may be of interest to students of the history of the Inquisition is listed among the recent publications of Messrs. Blackwood and Sons, London: *Catalogue of a Collection of Original MSS. formerly belonging to the Holy Office of the Inquisition in the Canary Islands, and now in the Possession of the Marquess of Bute*, two vols., by W. de G. Birch.

The Oxford University Press has sent us *The Geography of South and East Africa* (Oxford, 1904, pp. 169), which is a new edition of Volume IV., Part II., of C. P. Lucas's *Historical Geography of the British Colonies*. The work has been revised to 1903 by H. E. Egerton; and in addition Mr. Egerton has written two new chapters, on the Transvaal and on the Orange River Colony. The text is supplemented by six newly-drawn maps, and there is an index to the principal proper names.

The long-awaited second part of the *Manuel de Bibliographie Historique*, by Ch.-V. Langlois, has just appeared, through the house of Hachette (Paris). It presents the outlines of the history and organization of historical studies.

Professors Herbert D. Foster and Sidney B. Fay have sent us a *Syllabus of Mediæval and Modern European History*, which was prepared primarily for use in their classes (Hanover, N. H., Dartmouth College, 1903, Part I., pp. ix, 20; Part II., pp. xi, 32). It gives a short, clear outline, extending in the first part to the end of the fifteenth century, and in the second from 1492 to 1789. Appropriate lists of references are given.

An important reference list is that compiled by Miss A. R. Hasse and published in the *Bulletin of the New York Public Library* under the title "List of Books and some Articles in Periodicals in the New York Public Library, relating to Political Rights, Constitutions, and Constitutional Law". Parts I. and II. have been published in the January and February *Bulletins*, respectively. Part I. is a list of general treatises and papers, and fills thirty columns. Part II. is a seventy-four column list of references to foreign constitutions, arranged alphabetically by countries with a subarrangement by bibliographies, collections of texts, and commentaries.

A fifth edition of Hall's *Treatise on International Law* is announced by the Oxford University Press. It is edited by J. B. Atlay, and new material relating to events in China and Japan, the Venezuelan boundary dispute, the Hague Conference, and the Spanish-American and South African wars has been added in order to bring the edition to date.

Turkish Life in Town and Country, by Lucy M. J. Garnett (Putnam's, 1904), is a recent addition to "Our European Neighbors" series. It is well illustrated and contains accounts of the inhabitants and institutions of Turkey; town, harem, and country life; religion, education, customs, and manners. The different nationalities are treated and there are chapters on monastic, nomad, and brigand life.

ANCIENT HISTORY.

L. Bréhier begins in the *Revue Historique* for January a study upon an old subject, the royal power as described by the Homeric poems; but he considers it from a relatively neglected side, its position with reference to authority in justice: "La Royauté Homérique et les Origines de l'État en Grèce".

Two recent numbers of the *Bibliothèque de l'École des Hautes Études* (Paris, Bouillon) are devoted to ancient history: Fascicle 142, "Histoire de la Conquête Romaine de la Dacie et des Corps d'Armée qui y ont pris Part", by Victoria Vaschide; Fascicle 144, "Le Nil à l'Époque Pharaonique, son Rôle et son Culte en Égypte", by Charles Palanque.

Samuel Dill, well known by his book on Roman society in the last century of the Western Empire, has now written a similar book on the earlier imperial period: *Roman Society from Nero to Marcus Aurelius*, which is announced to be published soon (The Macmillan Company).

The correspondence between M. Cornelius Fronto, the famous orator, and his pupil Marcus Aurelius, or such part of it as was discovered in the

early part of the last century, formed the subject of a lecture delivered last December by the Corpus Professor of Latin at Oxford, Dr. Robinson Ellis; and this lecture is now published by the Oxford University Press: *The Correspondence of Fronto and M. Aurelius* (Oxford, 1904, pp. 29).

An important study concerning the Roman Empire in the later third century appears in Fascicle 89 of the *Bibliothèque des Écoles Françaises d'Athènes et de Rome*: "Essai sur le Règne de l'Empereur Aurélien (270-275)", by Léon Homo (Paris, Fontemoing).

MEDIEVAL HISTORY.

The imperial coronation of Charles the Great is the subject of a critical study by W. Ohr, just published through J. C. B. Mohr, in Tübingen: *Die Kaiserkrönung Karls des Grossen*.

An important addition to available sources concerning the Iconoclastic movement has been made through an edition of a hitherto unpublished work of Nicephorus, written after his removal from the patriarchate, on the Iconoclast council assembled by Leo the Armenian in 815: *Adversus Concilium Iconomachorum Constantinopolitanum anno 815, Antirrhetici Libri Duo*, by D. Serruys. Among its merits is that it brings to light the acts of this council (Paris, Welter).

The second number to appear in the forty-volume "Handbuch" of medieval and modern history that is being edited by G. von Below and F. Meinecke relates to the political history of the later middle ages: J. Loserth, *Geschichte des späteren Mittelalters von 1197 bis 1492* (Munich and Berlin, R. Oldenbourg). The third number, which is announced as about ready, belongs to the list of volumes on auxiliary sciences and antiquities: *Historische Geographie*, by K. Kretschmer.

The publication of material relating to the Avignon popes goes gradually on. Recently the first fascicle was issued of the *Lettres Communes du Pape Jean XXII. (1316-1334)*, the analyses being done by G. Mollet (Paris, Fontemoing); also the first volume of a new collection of Vatican material relating to the history of Bohemia: *Monumenta Vaticana. Res Gestas Bohemicas Illustrantia. I. Acta Clementis VI. (1342-1352)* (Prague, Rivnac).

The eastern Roman Empire has just been treated, with reference to its social and political evolution, in a two-volume work by P. Grenier: *L'Empire Byzantin, son Évolution Sociale et Politique* (Paris, Plon-Nourrit).

The publication has been begun of an important work on the history of the church in the later middle ages: *Papsttum und Kirchenreform. Vier Kapitel zur Geschichte des ausgehenden Mittelalters*, by J. Haller, of the University of Marburg. Two of the proposed four chapters appear in the first volume (Berlin, Weidmann), and present, according to a circular of information written by the author, some remarkable matter in regard to the papal administration in the fourteenth century, and also a new view of the origin of the Gallican liberties. The third and fourth

chapters, to appear in a second volume, will deal with the struggle for reform at Constance and Basel. In this connection may be noted also the first volume of *Die päpstlichen Annalen in Deutschland während des XIV. Jahrhunderts* (Paderborn, F. Schöningh).

Noteworthy articles in periodicals: Maurice M. Hassett, *The Beginnings of the Temporal Power* (Catholic University Bulletin, January); B. Monod, *De la Méthode Historique chez Guibert de Nogent* (Revue Historique, January); *Franciscan Literature* (Edinburgh Review, January); J. Guiraud, *Le "Consolamentum" Cathare* (Revue des Questions Historiques, January); A. Lalande, *Revue Générale: La Physique au Moyen Age* (Revue de Synthèse Historique, October).

MODERN HISTORY.

A posthumous work by the late Bishop Stubbs, consisting of essays relating to the history of Europe in the sixteenth and seventeenth centuries, is announced by Messrs. Longmans.

The January number of the *English Historical Review* contains continuations of "The Dutch on the Amazon and Negro in the Seventeenth Century", by G. Edmundson, and "The Northern Question in 1716", by J. F. Chance.

Students of the Seven Years' War will find of importance to them the *Inventaire Sommaire des Archives Départementales de l'Aube Antérieures à 1790. Série E. (Fonds de Saxe)*, the first volume of which was published near the end of last year. The documents analyzed belonged to the archives of Prince Xavier of Saxony, and relate entirely to this war.

Those who may be interested in the Countess of Albany will find much new material in letters she wrote to friends in Siena: *Lettres Inédites de la Comtesse d'Albany à ses Amis de Sienne (1797-1820)*, prepared for publication by L. G. Péliissier. They will form two volumes; the first has already appeared (Paris, Fontemoing).

Noteworthy articles in periodicals; A. D. White, *Fra Paolo Sarpi* (Atlantic Monthly, January and February); A. Mansuy, *Le Clergé et le Régime Napoléonien dans le Duché de Varsovie*, concluded (Revue d'Histoire Moderne et Contemporaine, December); A. Sorel, *La Route d'Jena* (Revue de Paris, January 1 and 15); Chr. Waas, *Bonaparte in Jaffa (Zwei napoleonische Kontroversen)* (Historische Vierteljahrschrift, January).

GREAT BRITAIN.

Perhaps a new annotated edition of Macaulay's essays was needed. If so, the new edition in three volumes published by Methuen in London and the Putnams in New York will certainly meet the demand. One may well wonder whether the reader who wishes the flavor and swing of Macaulay's style and to be carried along by the rush of his impetuous assertions, which are never tinged by doubt, will hesitate about allowing such sensations to be disturbed by an intrusive note, be it ever so learned.

But the volumes are attractive, and the historical annotation has been laboriously done and gives evidence of scholarship. Though the print is possibly too small to be agreeable, it is a pleasure to be able to hold lightly and easily in the hand an octavo of nearly six hundred pages.

St. Aldhelm: his Life and Times (London, Society for Promoting Christian Knowledge, 1903), by the Right Reverend G. F. Browne, comprises a series of lectures delivered in the Cathedral Church of Bristol during Lent, 1902. It is not merely a life of Aldhelm, but devotes much space to William of Malmesbury and to contemporary ecclesiastical history, and contains critical discussions of sources and of Saxon remains. The relations of England and Ireland in Saxon times are treated, and there is an account of the origin of the English coronation service. The book may best be characterized, perhaps, as a popular study in English antiquities.

Asser's Life of King Alfred has been edited, with introduction and commentary, by W. H. Stevenson. Associated with it in the same volume is *The Annals of Saint Neots*, erroneously ascribed to Alfred (Oxford, University Press).

A beginning has at last been made upon the work of editing in worthy fashion the law reports of the reign of Edward II.: *Year-Books of Edward II.*, Vol. I., 1307-1309, edited for the Selden Society by F. W. Maitland. Besides the text, translation, and notes, there is a remarkable introduction of some hundred pages. Only a few of the year-books for other reigns have been edited in a manner that approaches present standards, and Professor Maitland pleads that English scholars may undertake to edit the entire series to which these reports belong.

A plan for a scientific bibliography of British history from 1485 to 1901, to serve as a continuation of the work of Gross for the medieval period, was set forth by G. W. Prothero in his last presidential address to the Royal Historical Society. The address will appear in the next volume of *Transactions*, soon to be issued.

The Electress Sophia and the Hanoverian Succession, by A. W. Ward, has been received as a scholarly and effective account of the succession of the House of Hanover in its proper setting: not so much a chapter simply of English history as an event of long preparation and far-reaching consequences in European history (London, Goupil).

England in the Mediterranean, by Julian Corbett, a two-volume study of the rise and influence of British power within the straits, covering the years 1603-1713, is published by Messrs. Longmans.

In Volume XXVI. of its *Publications* the Navy Records Society inaugurates *A Descriptive Catalogue of the Naval Manuscripts in the Pepysian Library* at Magdalene College, Cambridge, edited by J. R. Tanner. There are in the Pepysian Library about seventy-five manuscript volumes relating to the navy, of which fourteen contain the Admiralty Letters, *i. e.*, the letter-books of the office of the secretary to the

admiralty. These last are the most valuable of the Pepysian papers for the purposes of the student of English naval history during Pepys's administration. The second and succeeding volumes of the *Descriptive Catalogue* will contain a calendar of the Admiralty Letters, with a full index of names and subjects. The present volume contains Pepys's *Register of the Royal Navy* and his *Register of Sea Officers*, together with a general introduction of some 250 pages, by the editor, which indicates the bearing of the Pepysian papers on naval administration during the period 1660-1688, dealing especially with the phases of higher administration, finance, men, pay, victuals, discipline, ships, and guns.

Prominent among the matter which appeared in the second number of the *Scottish Historical Review* is an article on "The Fiscal Policy of Scotland before the Union", by W. R. Scott. It sets forth connections of the protective system of the seventeenth century with the Darien scheme and the Union.

Caroline Matilda, the youngest sister of George III., and wife for a time of Christian VII. of Denmark, is the subject of two handsome volumes by W. H. Wilkins, already known by other books on the House of Hanover: *A Queen of Tears: Caroline Matilda, Queen of Denmark and Norway, and Princess of Great Britain* (Longmans, Green, and Co.).

We have before us the first four volumes of *The Letters of Horace Walpole*, edited by Mrs. Paget Toynbee and published by the Clarendon Press. In this form there are to be in all sixteen volumes, beautifully printed and illustrated. The annotation shows patient research and the thoughtful attention given by a devoted editor. Most of the letters are to be found, of course, in the Cunningham edition, but some are not. Where the original letter was to be found the editor seems to have made use of it in preparing copy and not blindly to have followed previous editors. There is ground for expecting this to be the definitive edition of materials whose interest for the student of the eighteenth century knows no abating.

Students of the crowded military history of the last years of the eighteenth and the first part of the nineteenth century will find interesting and profitable matter in a recent work by R. S. Rait: *The Life and Campaigns of Hugh, First Viscount Gough, Field-Marshal*, two vols. (London, Constable). And like reference may be made to *The Life of John Colborne, Lord Seaton*, by G. C. Moore-Smith (New York, Dutton).

Two of the five volumes that are to constitute H. W. Paul's *History of Modern England* have now been published. The first opens with a treatment of the last Whig government and Palmerston's foreign policy, and closes with the Russian war; the second goes to the close of the Palmerstonian era (The Macmillan Company).

Noteworthy article in periodical: C. H. Firth, *Clarendon's History of the Rebellion*, Part I., *The Original "History"* (English Historical Review, January).

FRANCE.

The second and concluding volume of C. Enlart's *Manuel d'Archéologie Française* treats of civil and military architecture. The first volume, it will be recalled, dealt with buildings of a religious order (Paris, Picard).

A general review of studies upon the origins of town institutions in medieval France is contributed by G. Bourgin to the December number of the *Revue de Synthèse Historique*: "Les Études sur les Origines Urbaines du Moyen Age".

Volume V., by H. Lemonnier, of the Lavis *Histoire de France*, is now complete, dealing with the struggle against the house of Austria and France under Henry II. The next fascicles to appear are those of Volume VI., by M. Mariéjol, on the wars of religion and the establishing of absolute power, 1559-1643.

The *Revue d'Histoire Moderne et Contemporaine* has begun a series of critical studies upon the narrative sources of the history of France in the sixteenth century. In the first one, which appeared in the December number, the writer, H. Hauser, hopes while solving a small problem to show again how delicate is the work of handling sixteenth-century texts: "La Date Exacte de la Mort de Louis XII et de l'Avènement de François I".

France is to have for modern history a series, or collection, of original contributions, similar to the numerous "Beiträge" or "Sammlungen" in Germany: the *Bibliothèque d'Histoire Moderne*, published under the auspices of the Société d'Histoire Moderne. The first number is "La Peur en Dauphiné (Juillet-Août 1789)", by P. Conard; the second, "L'Origine des Cultes Révolutionnaires", by A. Mathiez.

A commission has been appointed in France to seek out and publish the archive material relating to the economic life of the French Revolution. The work is to be supported by a grant from the government, and M. Jaurès, who presented the measure in the Chamber, heads the commission. It is hoped in this way to do for the economic side of the Revolution what has been done or is being done, owing especially to the publications of M. Aulard, for its political side.

M. F. Masson proceeds with remarkable rapidity with his series of Napoleonic studies. The latest addition to it is entitled *Napoléon et son Fils* (Paris, Ollendorff).

The French soldier in the Napoleonic period is the subject of a new work by J. Morvan: *Le Soldat Impérial, 1800-1814*. So far the first volume has appeared, which deals with such matters as recruiting, instruction, pay, rations, and administration (Paris, Plon-Nourrit).

Noteworthy articles in periodicals: Camille Daux, *Le Cens Pontifical dans l'Église de France* (*Revue des Questions Historiques*, January); J. Lemoine and A. Lichtenberger, *Madame de Montespan et les Bouchers de Paris* (*Revue de Paris*, January 1); H. Sée, *Les Idées Philosophiques du*

XVIII^e Siècle et la Littérature Préévolutionnaire (Revue de Synthèse Historique, October and December); P. Bliard, *Les Exploits d'un Conventionnel en Mission. Prisonniers et Prisons (1793-1794)*, refers to Prieur de la Marne (Revue des Questions Historiques, January); Léon Dubreuil, *Essai sur l'Administration Générale d'un District pendant la Révolution. Le District de Redon* (Annales de Bretagne, beginning in the January number); R. Guyot and P. Muret, *Étude Critique sur "Bonaparte et le Directoire"*, par M. Albert Sorel (Revue d'Histoire Moderne et Contemporaine, January and February).

ITALY, SPAIN.

The vicissitudes of papal rule in the Patrimony of St. Peter in Tuscany during a great part of the period of the residence of the popes at Avignon is the subject of a long study now running in the *Archivio della R. Società Romana di Storia Patria*, beginning in Volume XXV., Fascicle 3-4: "Vicende della Dominazione Pontificia nel Patrimonio di S. Pietro in Tuscia dalla Translazione della Sede alla Restaurazione dell' Alborno". The recent fascicles of this periodical include also, among other matter, a continuation of S. Schiaparelli's "Le Carte Antichi dell'Archivio Capitolare di S. Pietro in Vaticano" (XXV. 3-4); a study by I. Giorgi of the treaty of peace and alliance between Rome and Genoa, 1165-1166, with documents (XXV. 3-4); the conclusion of "Tabularium S. Mariæ Novæ ab An. 982 ad An. 1200", by P. Fedele (XXVI.); and articles on "Il Cardinale Ludovico Simonetta", by E. Sol, "Una Chiesa del Palatino, S. Maria 'In Pallaria'", by P. Fedele, and "Soriano nel Cimino e l'Archivio Suo", by P. Egidi, — all in Volume XXVI.

The *Year-book of the Bibliographical Society of Chicago* for 1902-1903 (Chicago, 1903, pp. 90) contains, among other matter, "Some Bibliographical Notes on Italian Communal History", the paper read by Dr. A. M. Wolfson before the American Historical Association in December, 1902.

Noteworthy articles in periodicals: F. Rousseau, *Expulsion des Jésuites en Espagne. Démarches de Charles III pour leur Sécularisation* (Revue des Questions Historiques, January); H. Hueffer, *La Fin de la République Napolitaine*, concluded (Revue Historique, January).

GERMANY, AUSTRIA-HUNGARY, SWITZERLAND.

Several interests are appealed to in a new work on German registers of feudal tenures: *Die deutschen Lehnbücher*, by Woldemar Lippert (Leipzig, Teubner). It deals with material to which Diplomatic has as yet given little attention, offers something new on the feudal side of German legal and constitutional history, and emphasizes the importance of the feudal registers as a source for genealogy.

The interesting presentation of "Kaiser Heinrich VII" in the light of recent writings relating to his time, which was contributed by A.

Cartellieri to the twelfth volume of the *Neue Heidelberger Jahrbücher*, has been reprinted separately (Heidelberg, G. Koester).

The collection of Luther's table-talk made by John Mathesius, one of Luther's principal table-companions, appeared until recently to be lost, or at least in great part lost. A complete manuscript of it however has at last been found, in the Leipzig city library, and its most important parts have been published, under the editorship of E. Kroker, for the Saxon Royal Historical Commission: *Luthers Tischreden in der Mathesischen Sammlung* (Leipzig, Teubner).

Noteworthy articles in periodicals: R. Koser, *Die Preussische Kriegsführung im Siebenjährigen Kriege* (Historische Zeitschrift, XCII. 2); P. Clerget, *Contribution à la Psychologie Politique du Peuple Suisse* (Revue de Synthèse Historique, October).

BELGIUM, HOLLAND, SWEDEN.

A complete catalogue of all the known manuscripts—historical and literary—in Holland has been undertaken by W. de Vreese, professor in the University of Ghent: *Bibliotheca Neerlandica Manuscripta*.

G. des Marez has in the press a detailed work on *L'Organisation du Travail à Bruxelles au XV^e Siècle*, which was crowned in 1902 by the Belgian Academy. With it may be associated a small study which he has lately made in the constitutional history of the craft-gilds, connecting the increased powers of the gilds of barbers, butchers, and bakers of Brussels with the democratic movements of the fifteenth century: *Les Sceaux des Corporations Bruxelloises* (Brussels, Vromant, pp. 24; reprinted from the Annales de la Société d'Archéologie de Bruxelles, Volume XVIII.).

New material relating to the religious history of the Netherlands is published this year in a volume of the publications of the Belgian Royal Historical Commission: *Recueil des Instructions Générales aux Nonces de Flandre*, by A. Cauchie and R. Maere. The editors, in their work on these instructions, naturally arrived at some general ideas on their character and historical value, which they have set forth in part in the introduction to the *Recueil*, but at greater length in an article in the first number of Volume V. of the *Revue d'Histoire Ecclesiastique*: "Les Instructions Générales aux Nonces des Pays-Bas Espagnols (1596-1635)".

A dozen important studies, by the historian Blok, which have been published in various Dutch reviews during the last few years, have been collected into one volume, entitled *Verspreide Studiën ob het Gebied der Geschiedenis* (Groningen, Wolters). Most of them relate to the history of Holland; three, however, are in a more general field, treating respectively of the historical method, the Jesuits, and the last fifty years from the point of view of history.

The history of landed property in Sweden has lately been set forth, in an octavo of some seven hundred and fifty pages, by Ludovic Beauchet,

professor in the University of Nancy: *Histoire de la Propriété Foncière en Suède* (Paris, Larose).

AMERICA.

Last year the Carnegie Institution decided to establish a bureau of historical research. Reference was made to this in an earlier number of the REVIEW (Vol. VIII. 282). The bureau has undertaken a number of tasks that will be of interest to investigators in American history. It has under way the preparation of what might be termed a current bibliography of American history. Dr. E. C. Richardson, of Princeton, has prepared and is now putting through the press a volume called *Writings of American History and Biography for 1902*. Such materials for 1903 as Dr. Richardson had collected were turned over to Mr. McLaughlin, and it is hoped that "writings" for the last year can soon be printed. It is intended to make the list as nearly exhaustive as possible, to include not only books but periodical articles of any significance, and, of course, to make mention of the proceedings of historical societies. The titles of important books will be accompanied with reference to reviews of their contents, and there is likely to be in addition a few words concerning scope and character, but not quality, of many of the books and articles included in the list.

The *Guide to the Archives of the United States in Washington* is not yet published, but may be expected this spring. It was begun a year ago by Dr. C. H. Van Tyne and Mr. W. G. Leland. Since the beginning of this collegiate year much additional work has been put on this report, and a portion of the copy is in the printer's hands. It will include a careful description of the bodies of records in the various departments of the government, and it will in many instances indicate the structure of the different bureaus and the methods of handling and storing their records. While it is comprehensive, it cannot, from the nature of things, be an index to the millions of documents in the government depositories. It ought to enable the student to know where a certain class of material can be found and in a great many instances will be much more explicit.

Under the auspices of the bureau, Professor C. M. Andrews is making a somewhat similar guide to American material in British archives. The Bodleian Library and the British Museum as well as the Public Record Office are being examined. It is doubtful if this report can be sent to the printer before the first of January. It will probably contain references to documents only as far as 1783. With it will be published a list of printed documents from English archives bearing on American history, and a general description of transcripts of such material now accessible in America. It is hoped that at no distant day a complete list of transcripts in America from British archives can be prepared and published.

An examination of the diplomatic correspondence in our early history is being made in order to ascertain how much has been printed in the

American State Papers and in order that the bureau may have information as to the character and extent of the material. What will develop from this it is as yet too early to say; certainly a systematic study must be of service.

The managing editor of the REVIEW is director of the bureau of historical research, and through the REVIEW reports will probably be made from time to time concerning the work of the bureau and giving information likely to be of service to historical investigators. It will of course be impossible for the director of the bureau to answer every question that may be sent him; but the purpose is to be of use to investigators and to help them to their materials. It may be reasonably hoped that the bureau can be of some service to historical investigators who come to Washington, and be the center of historical investigation in Washington.

It is not the intention of the REVIEW to comment on the grandiloquent advertisements of publishers who seek to impress the book-buying public with the peculiar value of their wares; but it seems to be incumbent on us to file a word of protest against the circulars issued concerning "A Definitive, Authoritative, and Inclusive Narrative History of North America", of which Mr. Guy Carleton Lee is editor-in-chief. In this circular the statement is made that the history is "Based on a Plan Suggested by the American Historical Association". As a matter of fact, the American Historical Association has drawn no plan and suggested no plan. Perhaps the writer of the circular for the definitive history had in mind the proceedings of the Association reported in the *Annual Report of the American Historical Association for the year 1901*, Volume I., page 37:

"The council reported that at a meeting held in New York, November 29, the proposition of a coöperative history of America was carefully considered, and in view of the difficulties involved, the council had voted that it would not be expedient for the American Historical Association to take part in forming or carrying out a plan for the composition or publication of a coöperative history of the United States. On motion, the action of the council was unanimously approved by the Association."

It is to be hoped that the other statements in the advertisement of this "authoritative" and "inclusive" work are more to be relied on than this. We cannot, under the circumstances, too strongly object to the use of the name of the Association for promoting the sale of a coöperative history.

The Harvard University Library has recently issued No. 55 of its *Bibliographical Contributions*, being *Descriptive and Historical Notes on the Library of Harvard University*, by A. C. Potter.

Biographies appear to be the order of the day, next to western travels. Among the more important ones recently published or announced are: Augustus C. Buell's *William Penn* (Appleton, 1904); Harriet C. Cooper's *James Oglethorpe* (Appleton's "Historic Lives" series, 1904); Bayard Tuckerman's *Life of General Philip Schuyler*

(Dodd, Mead, and Company, 1903); a *Life of Captain James Lawrence*, by Commander Albert Gleaves (announced by Putnams); a *Life of Horace Binney*, by Charles Horace Binney (Lippincott); *Samuel Chapman Armstrong*, by his daughter, Edith Armstrong Talbot (Doubleday, Page, and Company); *Life and Letters of Robert Lewis Dabney*, by Thomas Cary Johnson (Richmond, 1903); and a *Life of William Hickling Prescott*, by Professor H. T. Peck (announced by Macmillan). Three more Americans are to be represented in the "English Men of Letters" series: *Emerson*, by George Edward Woodberry; *Lowell*, by Henry van Dyke; and *Franklin*, by Owen Wister. Finally the "Unknown Heroes of the Navy" are to be brought to light in a series by that name (announced by Baker and Taylor Company), the first volume of which will be *Moses Brown, Captain U. S. N.*, by E. S. Maclay.

An autobiography notable in a year of notable autobiographies is Simon Newcomb's *The Reminiscences of an Astronomer* (Houghton, Mifflin, and Company, 1903). From the account of the author's Nova Scotian boyhood in the opening chapter to the narration of his experiences with the "Georgia magnetic girl" in the concluding chapter, it can truthfully be said that there is not an uninteresting page. Even the technical parts, and they are few and far between, easily hold the uninitiated. In fact the work should be of interest to the historian as well as to the astronomer. The chapters on "Scientific Washington", "The Old and New Washington", "Scientific England", "Men and Things in Europe", and "Life at an Observatory" are of great interest for the "inside" information they contain relating to the scientific work of the government and for the near-at-hand views they present of noted men, both in this country and abroad.

Mr. Worthington C. Ford, of the Library of Congress, Washington, D. C., would like to know of any letters to or from President Martin Van Buren that have not been published and are in private hands. A memorandum of the name of the writer and the date of the letter will be sufficient.

In *A Critical Study of the Various Dates Assigned to the Birth of Christopher Columbus* (Henry Stevens, Son, and Stiles) Henry Vignaud decides upon 1451 as the correct date. A bibliography of writings on the subject, containing eighty-three titles, is included in the volume.

We have received Volume I. of the twelve-volume reprint of Hakluyt's *Voyages*, by James MacLehose and Sons, publishers to the University of Glasgow (New York, Macmillan). The text is an exact reprint of the edition of 1598-1600. All the maps, plans, and charts have been reproduced in exact facsimile from contemporary sources, and well illustrate the state of cartography in Hakluyt's time. The twelfth volume will contain Professor Walter Raleigh's *Essay on the Life and Work of Hakluyt*, and a full index to the whole text.

An important publication of early voyages is *Jacques Cartier, Sieur de Limonlieu, His Voyages to the St. Lawrence, in the years 1534, 1535-6, and Allied Documents*, announced by Dodd, Mead, and Company. The work is translated from the original manuscripts in the archives of Paris and London, and will be edited by James P. Baxter.

The *Viaje al Río de la Plata (1534-1554)* of Ulrich Schmidel (Buenos Ayres, 1903, pp. 499) is a translation by Samuel A. Lafone Quevedo of the Nuremberg Latin edition of 1599, with facsimile reproductions of its plates. An introduction and annotations are added by the translator, and bibliographical and biographical notes are contributed by Bartolomé Mitre.

The first part of Professor Osgood's *The American Colonies in the Seventeenth Century* will shortly be published by Macmillan. This instalment will be in two volumes and will deal with *The Chartered Colonies: Beginnings of Self-Government*.

A series entitled "Monographs of the American Revolution" is announced by the University Press, of Cambridge, and A. W. Elson and Company, of Boston, in conjunction. The first volume will be a hitherto unpublished essay on Thomas Jefferson, by the late Paul Leicester Ford.

The latest addition to the "Harvard Historical Studies" is *The Administration of the American Revolutionary Army*, by Louis Clinton Hatch. It discusses the subject not at all from the viewpoint of Bolton's *Private Soldier*, but in its more general aspects. Such subjects as appointments, promotions, supplying the army, the army mutineer, the relations between Congress and the commander-in-chief receive full treatment.

The *Orderly Book kept by Jeremiah Fogg*, adjutant-colonel of the Second New Hampshire Regiment during the siege of Boston, has been reprinted from the *Exeter News-Letter*, 1903, where it was printed from a copy of the original manuscript in the Harvard Library.

The *New York Genealogical and Biographical Record* for January, 1904, contains the first part of an article of more than purely genealogical interest, by D. R. Jack, entitled "New Brunswick Loyalists of the War of the American Revolution", which is an attempt "to compile a complete list of the Loyalists who settled in what is now the Province of New Brunswick".

Major André's Journal has been published in two volumes by the Bibliophile Society of Boston. The journal is André's daily account of the movements of the British forces from June, 1777, to November, 1778. The original manuscript was recently discovered among the papers of Earl Grey in England, and was purchased by William K. Bixby of St. Louis. The plans and drawings in the journal are reproduced in facsimile, as is also André's letter of appeal to Washington. At the end of the second volume are printed the account of André's execution, from Dr. Thacher's journal, and also the statement of a soldier who was present. The editorial work and introduction are by

Henry Cabot Lodge. The journal is printed on light paper, is bound in heavy vellum, and in each volume as a frontispiece is an etching of Major André.

Charles Henry Hart is preparing for the Grolier Club a *Catalogue of the Engraved Portraits of Washington*. The catalogue will contain nineteen photogravure reproductions and a mezzotint engraving from a portrait never before engraved.

"The History of the Cavalry of the Army of Northern Virginia", by Captain J. G. Harbord, appears in the *Journal of the United States Cavalry Association* for January, as its prize essay for 1903.

Frederick Van Dyne, assistant solicitor for the Department of State, has published a book on *Citizenship of the United States* (Rochester, 1904), in which he sets forth and discusses, in its practical aspects, the law of citizenship. Four phases of the subject are specifically treated: citizenship by birth; naturalization; passports; and expatriation.

Robert Brent Mosher, chief of the Bureau of Appointments of the Department of State, has recently published a compilation for which every student of history should feel grateful. It is entitled *The Executive Register of the United States, 1789-1902*, and gives a complete list of the presidents and of the heads of the executive departments, together with the laws governing their election or appointment, qualifications, and terms of office; the electoral and popular vote at each election; and literal copies of the Declaration of Independence, the Articles of Confederation, and the Constitution. This is the first time this information, particularly that regarding the exact dates of the terms of office of the members of the cabinet, has been made accessible.

Federal Aid in Domestic Disturbances, 1787-1903 (*Sen. Doc. 209*, 57 Cong., 2 Sess.), prepared by Frederick T. Wilson of the Adjutant-general's office, is a "continuous and reasonably complete narrative of the domestic insurrections, riots, revolts, and miscellaneous disturbances that have entered into the history of the United States since its beginning, and of the measures that have been taken by the Executive, by Congress, and by the courts to meet, to suppress, to punish them, or to prevent their recurrence". Illustrative documents are scattered freely through the text, and an appendix of some 191 other documents referred to is added.

G. P. Putnam's Sons announce a new edition of Henry Cabot Lodge's *Writings of Alexander Hamilton* in twelve volumes, to be known as the Federal Edition. The text is identical with that of the edition of eighteen years ago, but Mr. Lodge has added a new introduction.

Zachery F. Smith's *The Battle of New Orleans*, with his account of the previous engagements which led up to it, has been reprinted as No. 19 of the *Filson Club Publications*.

The *Statistical Atlas of the Twelfth Census*, prepared under the supervision of Henry Gannett, geographer, which has just been issued, is a

publication of first importance. It is divided into four parts under the headings Population, Vital Statistics, Agriculture, and Manufactures, each of which is preceded by a valuable introduction. Of most value to the student of history probably is the introduction to the section devoted to population, which contains a detailed historical sketch of the distribution of population since 1796, the shifting of its median point, and its elements. The atlas contains 206 plates, of which 100 are devoted to population.

The New York State Library has issued as *Bulletin* 306, January, 1904, a *Digest of Governors Messages, 1903*, including related topics in the President's message, April 1, 1902-April 1, 1903. The *Digest* is the second in its series, and includes, topically arranged, regular messages and special messages recommending legislation, in all the states.

A *Bibliography of the Maps of the State of Maine*, by Edgar Crosby Smith, has been printed for private distribution at Bangor (1903, pp. 29).

We have received *A Brief History of the First Church in Plymouth, 1606-1901*, by John Cuckson, (Boston, 1902), which is in the nature of a summary based upon the principal sources and authorities, of "the most important items in the religious story of the Pilgrims".

A list of references on Shays's Rebellion is printed in the *Quarterly Bulletin* of the Berkshire Athenæum (Pittsfield, Massachusetts) for October, 1903.

The annual meeting of the Rhode Island Historical Society was held in Providence in January. The annual address was delivered by the vice-president, Professor MacDonald; the librarian's report showed that during the year the Channing-Ellery papers, a collection of eight volumes covering the years 1694-1825, and containing the papers of William Ellery, a signer of the Declaration of Independence, and of William Channing, the father of William Ellery Channing, have been arranged for use. They are of much value in illustrating the social, economic, and political life of Newport during the latter half of the eighteenth century.

The New York State Library is preparing an index of New York senate and assembly documents from 1777 to 1900, which will make available every special report during that period.

Mr. John S. Skinner, of Albany, is cataloguing and preparing for sale a recently purchased collection of manuscripts relating to early New York history, which had been stored for a century in an old residence at Scotia, New York. It numbers about 20,000 items and will throw much light on the history of Albany, Schenectady, and all the Mohawk country. Among the manuscripts already catalogued are: a diary of Lieutenant William Colbraith, kept during the siege of Fort Stanwix; muster-rolls of the French and Indian wars, minute-book of the Albany Sons of Liberty, letters of Sir William Johnson, papers of the colonial governors, military commissions, etc.

Nicholas Bayard's *Narrative of an Attempt made by the French of Canada upon the Mohaques Country* has been reprinted in facsimile from the only known copy — that printed by Bradford in 1693 — with an introduction by Miss A. R. Hasse (Dodd, Mead, and Company).

Volume VI. of the *Publications of the Buffalo Historical Society* is composed of three main divisions: the first contains a group of papers by Henry R. Howland, relating for the most part to the early history of the Buffalo region; the second part is made up of some twelve documents — journals, letters, etc. — relating to early mission-work, 1797–1848, on the Niagara frontier and Buffalo Creek; while the third division contains "The Life of Horatio Jones", from a manuscript prepared by the late George H. Harris. An important appendix is a list of "Pamphlets and Books Printed in Buffalo prior to 1850", in continuation of the society's projected "Bibliography of the Niagara Region".

Under the title *Records of Fort Sullivan*, the Tioga Point Historical Society has published a compilation by Mrs. Louise Welles Murray, of the Fort Sullivan order-book, and extracts from journals of soldiers in General Sullivan's army, relating to Fort Sullivan in 1779.

The minutes of the Common Council of New York from 1674 to 1776 are to be published by the city of New York, under the editorship of Professor Osgood and Austin B. Keep.

The original rough minutes of the Common Council, 1809–1831, and of the Board of Aldermen, 1831–1847, of the city of New York were recently unearthed in the shop of a bookseller who had bought them from a junk-dealer. The records fill over sixty volumes and have been missing for a long time.

The frontispiece of *The Pennsylvania Magazine of History and Biography* for January, 1904, is a facsimile of Penn's "Proposals for a Second Settlement in the Province of Pennsylvania". Four letters of Christopher Marshall to Peter Miller, of Ephrata, 1773–1777, are printed, and under the title "The Furniture of Our Ancestors" is reprinted the first instalment from Benjamin Lehman's catalogue and price-list of cabinetware, 1786. Among the Notes and Queries are some interesting letters, including one by Joseph Hunter, of Carlisle, Pennsylvania, 1768, relating to Indian depredations, and one by Lieutenant-colonel Israel Shreve, Second New Jersey Infantry, 1776, relating to affairs at Mount Independence, opposite Ticonderoga.

The Historical Society of Dauphin County, Pennsylvania, has just published as Volume I., Part I., of its *Transactions*, an *Abstract of the Minutes* of the society from its organization in May, 1869, to April, 1903.

Professor St. George Leakin Sioussat has recently brought out *The English Statutes in Maryland* (J. H. U. Studies, Series XXI., Nos. 11–12). It is devoted to a study of the controversy during the years 1722–1732 over the extension to Maryland of acts of the English Parliament and forms a sequel to his former monograph on *Economics and Politics in Maryland, 1720–1750*.

"A Frenchman's Impressions of Maryland and Virginia in 1791" is the title of an elaborate account by Bernard G. Steiner of Citoyen Ferdinand Marie Bayard's narrative of his travels in 1791 (*Sewanee Review*, January).

A new and revised edition of Frederick Law Olmsted's *A Journey Through the Seaboard Slave States* is announced by Putnams.

The *Virginia Magazine of History and Biography* for January, 1904, contains some important documents: the publication of "Moravian Diaries of Travels Through Virginia" is continued with the "Report and Observations of Bro. Gottschalk on his journey through Virginia and Maryland, Undertaken in March and April, 1748"; the "Orderly Book and Journal of James Newell" during the Point Pleasant campaign of 1774, copied from the original in the Draper Collection, is printed, as are also a first instalment of the "Vestry Book of King William Parish" containing the proceedings of the vestry from December 20, 1707, to June 30, 1711, and extracts from the Virginia Council and General Court Records, 1640-1641. This number also contains the first part of an authoritative article on "The Site of old 'James Towne', 1607-1698", by Samuel H. Yonge, of the United States Engineer Department, who directed the work in 1900 and 1901 of protecting Jamestown Island from the encroachments of the James River. Further information relating to Jamestown is contained in an article on "Jamestown and the Association for the Preservation of Virginia Antiquities".

The records of the London Company in Virginia are being edited by Miss Susan M. Kingsbury and will be published by the Library of Congress in an edition of two octavo volumes.

The Massachusetts Historical Society has reprinted from its *Proceedings* for October, 1903, a series of letters relating to *The Federal Constitution in Virginia, 1787-1788*, collected from the archives of the State Department by Worthington C. Ford. The letters present an interesting view of the intricate political problems which had to be solved in the transition from a confederation to a federal union, and reveal the opinions of the lesser leaders in Virginia, thus reflecting the varied local feelings in that state.

Professor Walter L. Fleming is editing *West Virginia University Documents Relating to Reconstruction*, a series of reprints in pamphlet form of "documents illustrating the peculiar conditions, social, political, and economic, that prevailed in the Southern States during Reconstruction". No. 1, for January, 1904, is *The Constitution and the Ritual of The Knights of the White Camellia*.

The South Atlantic Quarterly for January, 1904, contains an article by Ulrich B. Phillips on "Conservatism and Progress in the Cotton Belt", in which he discusses the historic and economic causes of present conditions.

The *South Carolina Historical and Genealogical Magazine* for January contains a collection of "Documents concerning Rev. Samuel

Thomas, 1702-1707", selected from the records of the Society for the Propagation of the Gospel in Foreign Parts. The originals are in the Public Record Office. Thomas was the first missionary of the society to South Carolina, and the documents throw some light on the local history of that colony.

The William and Mary College Quarterly Historical Magazine for January, 1904, contains three letters from the correspondence of President Tyler. The first is from James Iredell, December 10, 1841, complimenting Tyler on his message of December 7; the second is from Tyler to John Nelson, June 28, 1843, offering him the office of attorney-general; the third, dated August 28, 1843, is to Waddy Thompson and is marked "confidential". It states that Tyler has information to the effect that Great Britain is acting as mediator in the existing negotiations between Mexico and Texas, upon the basis of the abolition of slavery, and urges the necessity of preventing Texas from accepting such mediation. Selections from the correspondence of Judge N. B. Tucker are continued from the October number and include an interesting letter from A. P. Upshur, of September 16, 1841, regarding his acceptance of the Navy portfolio, and letters from William C. Preston, John B. Christian, and Waddy Thompson, 1840-1842, relating to the political situation, relations with Mexico, etc.

The Gulf States Historical Magazine for November, 1903, contains several articles of some importance. "Some Account of Confederate Indian Affairs", by Sutton S. Scott, who was Confederate Commissioner of Indian Affairs, is an interesting contribution to the history of the Confederacy. Walter L. Fleming contributes an examination of "The Ku Klux Testimony Relating to Alabama". Under the title "Alabama and Territorial Expansion Before 1860", William O. Scroggs gives an account of the part played by Alabama in the filibustering movements against Texas, Cuba, and Nicaragua. Other articles are "Early Missions of the South (Florida)", by Anne Bozeman Lyon (presumably the missions of Louisiana and Alabama are to be treated in following numbers); "Historical Notes of Milledgeville, Georgia", by Ulrich B. Phillips; a list of "Early Newspaper Files in the Library of Emory College, Georgia", covering most of the period 1798-1862; and a first instalment of the "Contents of the *South Carolina Gazette*", covering the files of that paper for January and February, 1732, compiled by A. S. Salley, Jr., from the files in the Charleston Library Society and elsewhere. The documents printed in this number comprise eight letters, 1794-1803, to William Dickson, an Irish emigrant to Tennessee, from his parents and friends in Ireland.

The second annual meeting of the Tennessee Valley Historical Society, was held in Huntsville, Alabama, on January 12. Two papers were read: "Notes of the Settlement and History of Lawrence County", by Thomas M. Owen, and "A Narrative of the Establishment by the Legislature of Georgia, in 1784, of a County in the Great Bend of the

Tennessee River", by O. D. Street. Some documents relating to Morgan county in 1818 were presented by Mr. Owen and will be printed in the proceedings.

Volume VII. of the *Publications of the Mississippi Historical Society*, edited by Franklin L. Riley, is a bulky book of over 500 pages. Many of the articles are of the reminiscent type, but there is some material in the volume of value to the student of Mississippi history. Among the articles may be mentioned "A Mississippi Brigade in the Last Days of the Confederacy", by J. S. McNeilly, based on recollections as modified and corrected by the *Official Records*; "Yazoo County in the Civil War" and "Reconstruction in Yazoo County", by Judge Robert Bowman; "Johnson's Division in the Battle of Franklin", by General Stephen D. Lee; "Life of Colonel J. F. H. Claiborne", by Franklin L. Riley; "Senatorial Career of J. Z. George", by J. W. Garner; "Recollections of Reconstruction in East and Southeast Mississippi", by Captain W. H. Hardy; "The Chroniclers of De Soto's Expedition", by Professor T. H. Lewis; and "British West Florida", by Peter J. Hamilton.

The seventh annual meeting of the Mississippi Historical Society was held on January 7 and 8 in Jackson, Mississippi. Among the papers read were "The Mississippi-Louisiana Boundary Dispute", by Monroe McClurg; "The Choctaw Land Fraud", by Dr. Franklin L. Riley; "Story of the Treaty of Fort Confederation", by H. S. Halbert; "Reconstruction in Monroe County", by George J. Leftwich; "Reconstruction in Rankin County", by G. G. Hurst; and "Recollections of the Prison Life of Jefferson Davis and C. C. Clay", by Lemuel Shipman.

Professor Alcée Fortier's four-volume *History of Louisiana* has just been published. The first two volumes cover the period 1512-1803, while the third and fourth bring the narrative to 1903.

State Papers and Correspondence bearing upon the Purchase of the Territory of Louisiana (Ho. Doc. 431, 57 Cong., 2 Sess.) is a document of 289 pages covering the period from March, 1801, to May, 1804.

Documents relating to the Purchase and Exploration of Louisiana is the title of a volume announced by Houghton, Mifflin, and Company. It will contain "The Limits and Bounds of Louisiana", by Thomas Jefferson, and "The Exploration of the Red, the Black, and the Washita Rivers", by William Dunbar.

The Quarterly of the Texas State Historical Association for January, 1904, contains an article by W. J. Spillman on the "Adjustment of the Texas Boundary in 1850", and a very valuable account by Herbert Eugene Bolton of "Some materials for Southwestern History in the Archivo General de Mexico". The documents described relate primarily to Texas, and a brief inventory is appended. George F. Fuller's "Sketch of the Texas Navy" is reminiscent rather than historical.

The American Historical Magazine and Tennessee Historical Quarterly for January, 1904, contains two letters from R. G. Dunlap to Presi-

dent Jackson and two long letters in reply from the President, of June-August, 1831. They relate to troubles in the cabinet, particularly to Major Eaton and to the position of Major Lewis in the President's household, and contain much denunciation of Calhoun.

Of most general interest in *The "Old Northwest" Genealogical Quarterly* for January, 1904, is an article on "The First Settlement of Plain Township, Franklin County, Ohio", by H. Warren Phelps.

The *Ohio Archaeological and Historical Quarterly* for January, 1904, contains biographical sketches of Simon Kenton, the Kentucky pioneer, by R. W. M'Farland, and of John Brough, governor of Ohio in 1864-1865, by Osman C. Hooper; a sketch of the beginnings of "Historic Worthington", by Mira C. Parsons; a list, by Jean D. Cheetham, of the governors of Ohio, 1803-1903, and the "History of Fort Hamilton", by W. C. Miller. In this number are also to be found the "Proceedings of the Society" since June, 1903, with an interesting account of recent gifts of manuscripts, including the archives of the Shaker communities of North Union and Watervliet. These last are contained in about one hundred bound volumes and include many diaries, ledgers, "Revelations", "Instructions", etc., covering the years 1824-1892.

Under the title of *Ohio Centennial Anniversary Celebration* (Columbus, 1903), the Ohio State Archaeological and Historical Society has published the proceedings of the celebration of the one-hundredth anniversary of the organization of Ohio as a state, held at Chillicothe, May 20-21, 1903. The addresses and papers are of a popular character and cover the different phases of Ohio history to the present time.

The Government of Illinois, by Evarts B. Greene, and *The Government of Indiana*, by Ellwood W. Kemp, are two forthcoming volumes in the "Handbooks of American Government" series (Macmillan).

The most important article in *The Iowa Journal of History and Politics* for January, 1904, is by Charles Oscar Paullin, on "The First Elections under the Constitution". "Some Iowa Mounds, an Anthropological Survey", by Duren J. H. Ward, is a surveyor's description of the mounds, interspersed with interesting suggestions. "Shelby County—a Sociological Study", by John J. Louis, the first part of which appears in this number, contains, in spite of its title, some suggestive information of general character.

The January, 1904, number of *Annals of Iowa* contains "A Reminiscence of the Last Battle of the Red River Expedition", by William G. Donnan, which is principally devoted to an explanation of Colonel Shaw's disobedience of orders in the battle of Yellow Bayou; a biographical sketch of Father Mazzuchelli, an Iowa pioneer; an article on "Iowa in the Territory of Missouri", by William Salter; and "Block-Houses in the Civil War", by Major-general G. M. Dodge.

The State Historical Society of Iowa is compiling for publication a bibliography of Iowa public documents.

Miss Mary R. Whitcomb, of the Historical Department at Des Moines, is at work on an index to early files of Iowa newspapers.

A complete and definitive edition of the *Journals of Lewis and Clark*, under the editorship of R. G. Thwaites, is announced by Dodd, Mead, and Company. A more detailed account of the material to be included in this first complete edition is to be found on page 441 of this issue.

The Arthur H. Clark Company announce a thirty-one volume series of annotated reprints of works relating to early western travels, 1748-1846, edited by Reuben G. Thwaites. Many of the originals from which the reprints are to be made are very rare. Volume XXXI. will contain a complete analytical index to the entire series.

A. S. Barnes and Company have reprinted Haskel's 1820 edition of *Harmon's Journal*, with an introduction by Robert Waite. The volume is one of a series of similar reprints called "The Trail Makers", for which Professor J. B. McMaster is consulting editor.

The volume on *Oregon* in the "American Commonwealths" series has been withdrawn, and its place is to be taken by one which Professor F. H. Hodder has been engaged to write.

Professor Leo S. Rowe, who was chairman of the commission to revise and compile the laws of Porto Rico, has in preparation a volume with the title *The United States and Porto Rico*, which will deal with the problems of administration in that island.

A Canadian Bibliography for the Year 1901, compiled by Lawrence J. Burpee, is reprinted in pamphlet form from the *Transactions* of the Royal Society of Canada by James Hope and Son, Ottawa. Contributions to periodicals are included and the entire work is carefully indexed.

As was to be expected, Panama and its relations with the United States are receiving much attention both in this country and abroad. Among the more important articles on the subject may be noted: *The Recognition of Panama and its Results*, by Theodore S. Woolsey, (Green Bag, December); *The Isthmian Question*, by Thomas D. Herran (Independent, January 14); *Legal Aspects of the Panama Situation*, by Edwin Maxey (Yale Law Review, December); *The Secession of Panama*, by Benjamin Taylor (Fortnightly Review, January); and *La Politique des États-Unis dans l'Amérique Centrale*, by J. Franconie (Questions diplomatiques et coloniales, January).

The Colonization of South America, by E. J. Payne, is announced for the "Cambridge Historical Series" (Macmillan). Other publications to be noted by the student of Spanish-American history are: *La Ciudad de Mexico*, by J. M. Marroqui (Blake and Fiske, Mexico), a three-volume historical and descriptive work on the City of Mexico; and *Anales diplomáticos y consulares de Colombia*, by A. José Uribe. "Un Arrêt de la Cour Suprême de la République Argentine" is the title of an article by A. Esmein, in the *Revue Politique et Parlementaire* for January 10.

Noteworthy reviews of books: *Cambridge Modern History. Volume VII., The United States*, by F. H. Hodder (Dial, February 1); A. B. Hart's *Actual Government*, by J. W. Garner (Annals of the American Academy, January); by Allen Johnson (Yale Review, February); R. L. Ashley's *American Government*, by C. H. d'E. Leppington (Economic Review, January); Trevelyan's *American Revolution*, Part II., by Frederic Harrison (Independent Review, February), (Contemporary Review, January), (Independent, January 14), by C. H. Van Tyne (Annals of the American Academy, March); A. B. Hepburn's *History of Coinage and Currency in the United States*, by L. R. Strangeways (Economic Review, January); Edward Stanwood's *American Tariff Controversies in the Nineteenth Century*, by J. E. Conner (Annals of the American Academy, March); Catterall's *Second Bank of the United States*, by J. A. Doyle (English Historical Review, January); W. F. Johnson's *A Century of Expansion*, by Frederic Austin Ogg (Dial, January 16); Guy Carleton Lee's *True History of the Civil War*, (Independent, February 11); A. G. Bradley's *Canada in the Twentieth Century*, (Nation, February 18); Soley's *Porter*, by H. C. Gauss (United States Service, February); Edith Armstrong Talbot's *Samuel Chapman Armstrong*, by Percy F. Bicknell (Dial, March 1); Lyman Abbott's *Henry Ward Beecher*, by Mary Eleanor Barrows (Dial, January 16); Senator Hoar's *Autobiography of Seventy Years* (Nation, February 4); *The Philippine Islands, 1493-1898*, Volumes I to X., by Paul S. Reinsch (Dial, March 16).

Noteworthy articles in periodicals: Gilbert O. Bent, *The Latours in Massachusetts Bay, 1640-1646*; Jonas Howe, *The Royal Emigrants, Nova Scotian troops during the Revolution* (Acadiensis, January); T. R. White, *Constitutional Provisions Guaranteeing Freedom of the Press in Pennsylvania* (American Law Register, January); John Goode, *The Electoral Commission of 1877*; Blackburne Esterline, *Acts of Congress Declared Unconstitutional by the Supreme Court*; J. O. Pierce, *James Wilson as a Jurist* (American Law Review, January); Henry Villard, *Recollections of Lincoln* (February); Jesse B. Carter, *Theodor Mommsen*; Rollo Ogden, *Prescott the Man* (Atlantic, March); F. C. Wade, *Some Comments on the Alaskan Award* (February); A. G. Bradley, *The Fight for North America* (in twelve parts through the year, Canadian Magazine); George V. Smith, *The First Theocratic Government in the New World*, Davenport's Colony of New Haven (Connecticut Magazine, December); Dorothea Nath, *German American Records*, an account of Germans in America compiled from *Niles's Register* (German American Annals, February); E. L. Didier, *Patrick Henry as a Lawyer* (Green Bag, January); J. G. Johnson, *A Neglected Chapter of our Colonial History*, the siege of Louisburg, 1745; J. B. Moore, *Beginnings of American Diplomacy* (Harper's Magazine, January and March); W. G. Brown, *George Washington, Southerner* (Independent, February 18); C. H. Lincoln, *Naval Manuscripts in National Archives* (Literary Col-

lector, January): *Columbus and the Discovery of Northmen in North America* (Mittheilungen aus dem Gebiete des Seewesens, January): John W. Foster, *The Alaskan Boundary Tribunal*, with text of decision and map (National Geographic Magazine, January): F. A. Ogg, *Paper Money in the New England Colonies* (New England Magazine, February): J. A. LeRoy, *The Friars in the Philippines* (Political Science Quarterly, December): Harry A. Fiedler, *Das Bevölkerungsproblem in den Vereinigten Staaten von Amerika* (Preussische Jahrbücher, February): Gabriel Louis Jaray, *L'arbitrage international et la politique Américaine* (Questions diplomatiques et coloniales, January 1 and 16): Dr. Latouche-Tréville, *Les vrais Découvreurs de l'Amérique* (La Revue, January): C. H. Huberich, *La Législation aux États-Unis en 1902* (Revue du droit public, September): François Monod, *L'Institut Carnegie de Washington et ses Origines Historiques* (Revue internationale de l'enseignement, November 15): Captain A. T. Mahan, *The War of 1812* (beginning in the January number); *Mrs. George Bancroft's Letters from England in 1846-49* (Scribner's Magazine, February, March, and April): R. G. Thwaites, *The Great River*, historical sketches of the Mississippi (running in *The World Today*): John B. Phillips, *Recent State Constitution Making* (Yale Review, February).

The
American Historical Review

THE REHABILITATION OF THERAMENES

IT is safe to say that no Athenian statesman and patriot, not excepting even Themistocles, has been so persistently misjudged by modern writers of Greek history, and especially by makers of school manuals of Greek history, as Theramenes. And yet the testimonies of his contemporaries are either negatively favorable, as in the case of Thucydides, or harmlessly and jocosely unfavorable, as in the case of Aristophanes, or wavering—now favorable and now unfavorable, as in the case of Xenophon, and only consistently and bitterly hostile in the case of Lysias; while the secondary testimonies of Ephorus (as seen in Diodorus) and Aristotle are frankly and wholly eulogistic, and, among Roman men of letters, Cicero ranks him with Themistocles and Pericles, and Julius Cæsar with Cicero and Pericles. But the malignant and perverted estimate of him by Lysias prevails in later scholia, and either prevails or has undue influence in all the current histories of Greece since Mitford, large and small, excepting only those of Beloch and Bury. These scholars adopt in the main the eloquent and discriminating tribute to Theramenes which came to light with Aristotle's *Constitution of Athens* in 1890.¹ Indeed, Aristotle may well be called the ancient vindicator of Theramenes, and our judgment of those modern writers who misjudged Theramenes before the vindication of him by Aristotle saw the light again must be much more lenient than of

¹ Even before the reappearance of Aristotle's *Constitution of Athens*, the rare dissent from the unfavorable estimate of Theramenes prevailing among modern writers had culminated in a full and able vindication of him by Pöhlig, in Fleckeisen's *Jahrbücher für classische Philologie*, Supplementband IX. (1877-1878), 227-320, the main positions of which were cordially adopted by Beloch in his *Attische Politik seit Perikles* (1884). Pöhlig's monograph, together with the bibliographical note in Busolt, *Griechische Geschichte*, Band III., Teil II., 1463, shows the course of modern opinion during the last century.

those who, like Abbott, Eduard Meyer, and Busolt, still strive, more or less, against this new evidence.¹

There are four great events in which Theramenes was more or less prominent as a leader, and by his conduct in them he is to be judged. These are, first, the revolution of the Four Hundred (411 B. C.); second, the restoration of Athenian supremacy in the Ægean sea (410-407); third, the battle of the Arginusæ (406); and fourth, the establishment of the Thirty in Athens (404-403). It is the purpose of this paper to weigh anew the ancient testimonies to the part of Theramenes in these four events.

I. *The Revolution of the Four Hundred.*² In the terror inspired by the Sicilian disaster all parties at Athens united in recognizing certain imperative needs. These were, as Thucydides clearly states,³ a new fleet, retention of the allies (especially Eubœa), economy in domestic expenditures, and a small body of selected elders to initiate legislation. "While their fright lasted", says Thucydides,⁴ "they were ready to correct every abuse, after the manner of a democracy". A limited democracy, then, with financial reforms, was the happy mean on which all parties at Athens united in this great crisis, while there was still a faint hope that all might not be lost. To this political programme, through all the troublous years that followed, Theramenes was persistently true to the end of his life, and he gave his life in defense of it. In the darkest moments of the struggle the extreme oligarchs, who wanted oligarchy even at the price of submission to Sparta, would get the upper hand; in the all too fleeting times of triumph the extreme democrats, who wanted every Athenian citizen without exception to be paid something from the uncertain revenues of the state, would get the upper hand. In the darkest and the brightest times alike Theramenes is found insisting on the two cardinal principles of the frightened democracy—a limited democracy and financial reforms, *i. e.*, a suf-

¹ All three writers interpret too much hostility to Theramenes into the testimony of Thucydides, and give too little weight to the emphatic praise bestowed upon him by Aristotle. The spirit of the testimony of Thucydides is far more closely akin to that of Aristotle than to that of Lysias. And the hostile insinuations which the partizan Xenophon puts into his narrative of the conduct of Theramenes are more than counterbalanced by the eloquent defense of that conduct which the man Xenophon puts into the mouth of Theramenes. In the conflict of ancient testimonies, then, it is not Thucydides, Lysias, and Xenophon against Ephorus and Aristotle, but Lysias against all the rest.

² The ancient authorities are Thucydides, viii. 47-98, especially 68, 89, 92, 97; Lysias, *contra Eratosthenem*, 64-67; Diodorus (Ephorus), xiii. 36-38; and Aristotle, *Athenaion Politicia*, 28-33. Justin, v. 3 may be disregarded, except for a phrase or two echoing Ephorus: "Itaque permittente populo imperium ad senatum transfertur"; "optimates terribi primo urbem prodere Lacedæmoniis temptavere."

³ viii. 1, § 3.

⁴ *Ibid.*, § 4, Jowett's translation, as, in the main, in the following citations.

frage restricted to those able to serve the state with arms and money, and no payment of public funds except for military service.

By 411 B. C. the outlook for Athenian empire in the Ægean sea was desperate. Syracuse, Sparta, and Persia were in league together, and commanded generous moneys; while the Spartan occupation of Decelea, the revolt of powerful allies (including the Ionian cities of the mainland), and the limitless expenditure of uncertain state revenues for the public services of the beleaguered Athenian citizens made it more and more difficult to maintain an Athenian fleet in the Ægean strong enough to hold in subjection the discontented allies, to say nothing of bringing back to their allegiance and payment of tribute the allies who had revolted. The question then became one of a more or less humiliating peace with Sparta, or a more or less humiliating continuance of the war with her by means of Persian subsidies. In either case a modification of the extreme democratic or, rather, socialistic form of government was imperative, and those who strove for such a modification no more deserve the name of "conspirators", comprising as they did the intellectual and social leaders of the day, than do those who in recent years of our own times have joined in citizens' crusades against parties intrenched in city government. The democracy of Pericles, which had never since his death been subject to proper guidance and control, had had its day and failed. It even acquiesced, so far as the citizen body remaining at home was concerned, in such a modification of the democratic polity as would secure—so its advocates honestly believed—the financial aid of Persia and the leadership of the one man whom most Athenians now regarded as preëminently capable of leadership—Alcibiades. With this movement went the ten *Probouloi* whom the democracy itself had elected after the Sicilian disaster. Among these was Hagnon, the father of Theramenes.¹

But when the reactionary movement had been pushed too far by the extreme oligarchs under the uncompromising lead of the masterful Antiphon; when the army at Samos had shaken itself free from its oligarchic leaders and pronounced in favor of a modified democracy instead of the extreme oligarchy of the Four Hundred; and when, above all, the shifty Alcibiades had won and assumed the leadership of this indignant military democracy at Samos, then Theramenes headed a movement which should unite the moderate oligarchs at Athens with the moderate military democrats at Samos, and under the lead of Alcibiades. He did not abandon the cause in which he had embarked at first; he carried it rather to a triumph-

¹ Aristotle, *Athenaion Politeia*, 29, § 2; Lysias, *contra Eratosthenem*, 65.

ant issue, as the demands which Alcibiades sent to the Four Hundred at Athens plainly show. "He had nothing to say", so Thucydides reports his message,¹ "against the rule of the Five Thousand, but the Four Hundred must abdicate, and the old Council of Five Hundred be restored. If they had reduced expenditures at home so that the citizens on military service could be better supported, he highly approved. For the rest he entreated them to stand firm, and not give way to the enemy; if the city was preserved, there was good hope that they might be reconciled amongst themselves, but if once anything happened either to the army at Samos or to their fellow-citizens at home, there would be no one left to be reconciled with."

But when the Athenian people had reluctantly acquiesced in a moderate oligarchical or limited democratic form of government, it was to secure the leadership of Alcibiades, as Thucydides makes plain²; and the programme of the oligarchical leaders which finally found favor in the eyes of the people had these two main clauses: (1) that no one who was not on military service ought to receive pay from the state; and (2) that not more than five thousand should have a share in the government—those, namely, who were best able to serve the state in person and with their money.³ And now the military democracy under the leadership of Alcibiades at Samos formally proffered to the Four Hundred at Athens the very programme with which the Four Hundred had themselves won over the people of Athens, but which they had later abandoned under the influence of the extremists among their number. Is it any wonder that the majority of them, as Thucydides says,⁴ were much encouraged, and began to strive together for the attainment of the original purposes of their political agitation? They had been swept far aside from their original purposes by the partizanship of Antiphon; they now gladly returned to them under the lead of such prominent and influential members of their body

as Theramenes the son of Hagnon, Aristocrates the son of Scellius, and others, who had been foremost in the [original] movement, but now, fearing, as they said, the army in Samos and Alcibiades, fearing also lest their colleagues on embassies to Lacedæmon should, unauthorized by the majority, betray the city, they did not indeed formally renounce extreme oligarchy, but insisted that the Five Thousand ought to be established in fact and not in name merely, and that the constitution should be made more equal. This was the political pretext of which they availed themselves, but the majority of them were afflicted with that sort of personal

¹ viii. 86, §§ 6, 7.

² *Ibid.*, 53 *fin.*; 54, § 1.

³ *Ibid.*, 65 *fin.* and 66, § 1.

⁴ *Ibid.*, 89, § 1.

ambition which is most apt to prove fatal to an oligarchy succeeding a democracy. As soon as an oligarchy is established, all its promoters demand, not equality, but each that he himself be far above his fellows. Whereas in a democracy, when an election is made, a man is less disappointed at a failure because he has not been competing with his equals. The motives which most sensibly affected them were the great power of Alcibiades at Samos, and a belief that the oligarchy was not going to be permanent. Accordingly every one was striving to be the first champion of the people himself.¹

These are all the words of Thucydides that can in any way be held to contain an unfavorable estimate of the motives of Theramenes; there are none to deprecate his acts.² And even here the motives of personal ambition are attributed, not to Theramenes by name, but to "the majority" of his group of the oligarchs, and to oligarchs in general. It may well be that if Thucydides had lived to write of the later martyrdom of Theramenes in a vain attempt to secure for a second time precisely that form of government for which he was now contending, he would have acquitted him of the lower personal ambition with which he here charges "the majority" of his political group. He does at any rate say of the constitution which Theramenes more than all others helped to establish once: "This government during its early days was the best which the Athenians ever enjoyed within my memory. Oligarchy and democracy were duly attempered. And thus after the miserable state into which she had fallen, the city was again able to raise her head."³

In any case, to be the first "champion of the people (*προστάτης τοῦ δήμου*)" in a constitutional struggle which secured the best government that people had ever had was a personal ambition for which Theramenes deserves no blame. And that his motives were not wholly selfish is clear from his undeviating loyalty to Alcibiades, a point to be emphasized all through his career. As for the title of

¹ *Ibid.*, viii. 89.

² At his first introduction of Theramenes (viii. 68, § 4) as one of the foremost leaders in the revolution, Thucydides briefly characterizes him as a man of great eloquence and ability, one among many sagacious men who accomplished a great task. This is brief praise, it is true, but not so brief as to be dispraise. In very similar language Aristotle, *Ath. Pol.*, 32, § 2, speaks of Pisander, Antiphon, and Theramenes together as "men of good birth, and of high reputation for sagacity and ability".

Whether Thucydides wrote his testimonies to the character and career of Theramenes before or after the death of Theramenes is an open question. It is certainly possible, for aught now known, that he wrote them before that death which forced Xenophon out of partizan antagonism into undisguised admiration and defense. If so, and had he lived to write of the last days of Theramenes, Thucydides might have shown for him a warm admiration, like that felt for Antiphon in viii. 68.

It cannot be granted that Thucydides, in viii. 92, "puts the conduct of Theramenes in a very suspicious light" (Abbott, *History of Greece*, III. 416). Theramenes is there represented as proceeding cautiously and hesitatingly — as one walking over a smoldering volcano, but not treacherously.

³ viii. 97, § 2.

"champion of the people", which seems to have a scornful implication in the phrase of Thucydides, Aristotle bestows it on Solon, Themistocles, Aristides, and Pericles, as well as on Cleon and Cleophon.

It is unjust, then, to load the memory of Theramenes with any condemnation of his motives or acts by Thucydides. The testimony of Thucydides, as it stands in its uncompleted form, is at least negatively favorable; the scholiast on Aristophanes felt it to be positively so.¹ Had Thucydides lived to complete his testimony, there is reason for thinking that it would have been positively and emphatically favorable, if not eulogistic; for the eulogistic testimony of Aristotle is accompanied by precisely the same estimate of the constitution of Theramenes which Thucydides gives:

The Four Hundred were accordingly deposed and the conduct of affairs entrusted to the Five Thousand of the hoplite class; it was voted also that no public office be salaried. The chief promoters of this change were Aristocrates and Theramenes, who did not approve of the conduct of the Four Hundred, since they usurped all authority and submitted nothing to the Five Thousand. But now, for a while, Athens seems to have been admirably governed; the war was regularly prosecuted, and the government was in the hands of the hoplite class.²

Theramenes had now been a leader in overthrowing extreme democracy, when Thucydides characterizes him as a man of great eloquence, ability, and sagacity; and also a leader in overthrowing extreme oligarchy, when Thucydides testifies that his political object was exactly the same as before, and that the attainment of that object gave Athens the best government she had ever had. To be a moderate oligarch and then a moderate democrat meant, in his case, no change of political principles at all. The change was in others. The extreme oligarchs had abandoned him, and the extreme democrats had come over to him on his unchanging platform of limited property qualification, in the old Solonian fashion, for participation in the government. And yet there was just enough apparent shift of position by him to make some comic poet's epithet of "cothurnus"³ a telling and popular hit. Xenophon puts into the mouth of Theramenes⁴ a capital rejoinder to the thrust made by Critias with this epithet, and it doubtless amused Theramenes himself and his best friends. The modern defender of Theramenes also may enjoy it as a fine political joke. He has only to remember what it was, according to Thucydides,⁵ that brought the people over to

¹ *Scholia Arist. Frogs*, 541 : ὁ Θουκυδίδης δὲ αὐτὸν ἐπαινεῖ.

² *Ath. Pol.*, 33.

³ Xenophon, *Hellenica*, ii. 3, § 31.

⁴ *Ibid.*, ii. 3, § 47.

⁵ viii. 90-97.

the platform of Theramenes, and so ranged him with the moderate democrats. It was nothing more nor less than a deliberate attempt on the part of the extreme oligarchs, who could not brook the restoration of Alcibiades, to betray Athens with its harbor into the hands of Sparta. "The charge was not a mere calumny", says Thucydides,¹ in telling how Theramenes ever insisted that treachery was on foot, "but something of the sort was actually being done by the accused . . . at any rate they would not see democracy restored, and themselves fall the first victims, but would rather bring in the enemy and come to terms with him, not caring if thereby the city lost walls and ships and everything else, provided that they could save their own lives".

It was for this attempted treachery, and not merely for his oligarchical convictions, that Antiphon, the haughty and irreconcilable aristocrat, to whose ability Thucydides pays so striking a tribute,² was legally tried and put to death. This was on the motion of the former oligarch Andron, as the document cited in the *Life of Antiphon* ascribed to Plutarch shows.³ That Theramenes furthered or even favored the condemnation to death of his old leader cannot be believed on the insinuation of Lysias alone,⁴ and in the absence of further evidence. Xenophon puts no such specific charge in the mouth of Critias⁵ when he had every rhetorical temptation to do so. It was the misfortune, not the fault, of Theramenes that former colleagues of his in the oligarchy of the Four Hundred fell victims to their own high treason. He may have acquiesced in their death, but he can no more be charged with it than Washington can be held responsible for the fate of Benedict Arnold. It will be more difficult, though not impossible, to defend him from the charge of causing the death of the six generals in command at the Arginusæ; but in the case of Antiphon, on any rational interpretation of the evidence before us, his hands are clean.

It is with the reputation of Theramenes for tergiversation and treachery toward his commanders at the Arginusæ that the gibes in the *Frogs*⁶ of Aristophanes have more especially to do. Of the part taken by him in the deposition of the Four Hundred, Ephorus (as represented by Diodorus) speaks only in the most eulogistic terms,⁷ calling him a man of exemplary life and surpassing wisdom. The

¹ viii. 91, § 3.

² viii. 68, §§ 1, 2.

³ *Lives of the Ten Orators*.

⁴ *Contra Eratosthenem*, 67.

⁵ *Hellenica*, ii. 3, § 31.

⁶ vv. 541, 967-970, discussed below in III.

⁷ xiii. 38.

phrases bearing on the issue which have survived in the compilation of Justin¹ emphasize only the acquiescence of the democracy in the establishment of the oligarchy at the outset, and the attempt of the extreme oligarchs to betray the city into the power of Sparta.

II. *The Restoration of Athenian Supremacy in the Ægean Sea.*²

The evidence which bears on the career of Theramenes during these years is indirect, and therefore all the more trustworthy. It shows him—not to go into unnecessary detail³—cordially uniting with the people in assigning the leading command to Alcibiades, and giving him permission to return to the city when he chose, although he must have felt toward this brilliant, erratic, and unprincipled man very much as Aristophanes makes Æschylus feel in the *Frogs*⁴: "Better not to rear a lion in the city; but when once you've reared him, consult his moods". It shows him also coöperating loyally with Thrasybulus, that other champion of a restricted democracy, in various subordinate services on sea and land under Alcibiades as commander-in-chief, the three working together in perfect harmony, and winning together in 410 B. C. that glorious victory at Cyzicus which annihilated the Spartan fleet and brought once more from their despairing enemy advantageous offers of peace.

But it brought also, as great victories had repeatedly done before, a foolish over-confidence at Athens, and a triumphant restoration of the old socialistic democracy under Cleophon. This demagogue outdoes his prototype, Cleon, in rejecting an advantageous peace so honorably won, and in not only restoring payment from the state revenues for political services in the city, but in introducing a daily distribution of public moneys to all citizens not salaried already—the much-discussed but now clearly understood institution of the "diobelia".⁵ Still further to aid the starving laboring classes cooped up in the city by the war, the construction of a new temple of Athena on the Acropolis, the Erechtheum, was resumed at state expense.⁶ Thus the socialists in the city, who insisted on a continuance of the war, were consuming the revenues which the war made smaller and smaller.

Much more efficacious in averting hunger from the pent up

¹ v. 3.

² The ancient authorities for the events of the years 411–407 B. C. are Thucydides, viii. 98–109, breaking off abruptly with the closing days of 411; Xenophon, *Hellenica*, i. 1–6 *passim*; Diodorus (Ephorus), xiii. 38–74 *passim*; Justin, v. 4, 5; and Nepos, *Alcibiades*, v.–ix.

³ The scattered *indicia* are fully exploited in the monograph of Pöhlig, 254–265.

⁴ vv. 1431 ff.

⁵ *Corpus Inscriptionum Atticarum*, I. 188, 189 a; Dittenberger, *Sylloge*,² 51; with the interpretations of Wilamowitz, Meyer, and Bury.

⁶ Bury, *History of Greece*, 498, *ed. min.*; Meyer, *Geschichte des Alterthums*, iv. 613 ff.

population of Athens was the restoration of Athenian control over the Euxine in the capture of Chalcedon and Byzantium by the invincible three—Alcibiades, Thrasybulus, and Theramenes, after a long and arduous campaign.¹ And it should not pass unnoticed that during the years 410–409, after all the political principles for which he had so patiently and successfully struggled had been abandoned, and after the peace which he favored had been rejected, Theramenes remained in loyal and successful service with Thrasybulus under Alcibiades. During the years 408 and 407—years which saw the triumphant return of Alcibiades to Athens, his defeat by Lysander, and his consequent rejection by the Athenian people, with what seemed an inevitable loss again of Athenian naval supremacy in the Ægean—we have no testimony whatever to the special activity of Theramenes, and are left to conjecture his feelings when to the abandonment of what he believed to be the only saving political principles was added the fitful deposition of the only leader who could reasonably be expected to cope successfully with Lysander and his colleague Cyrus. And yet that he did not sulk in his tent is clear from the fact that with Thrasybulus, the sharer in his political principles and in his faith in Alcibiades, he served as trierarch of his own ship in the battle of the Arginusæ, under generals who, with one exception, belonged to the radical wing of the new democracy.

III. *The Battle of the Arginusæ (406 B. C.).*² Thrasybulus and Theramenes, the partners and able supporters of Alcibiades in winning back for Athens the control of the Ægean and Euxine seas, served as simple trierarchs in the great battle off the Arginusæ islands. The Athenian fleet, with Conon pent up at Mitylene, where Arcestratus had died, was under the command of eight generals, of whom only Thrasyllus had any preëminence as a naval commander. In numbers it surpassed the Spartan fleet under its single and brave commander, Callicratidas; but in sailing and manœuvring qualities it was inferior. The battle was long and hotly contested, at first by squadrons, then by scattered and single ships.³ In view of the large number of ships engaged on both sides (at least 290 in all), and the desultory character of the last part of the long struggle, when the end finally came with the death of Callicratidas and the rout of the Spartan left wing, great spaces of water must have been covered by the disabled, flying, or pursu-

¹ Diodorus, xiii. 66.

² The ancient authorities here are Xenophon, *Hellenica*, i. 6–7; Diodorus (Ephorus), xiii. 97–103, § 2; Aristophanes, *Frogs*, vv. 541, 967–970, with the scholia; Aristotle, *Ath. Pol.*, 34, § 1; and Lysias, *contra Eratos*, 36.

³ Xenophon, i. 6, § 33.

ing vessels. The Lacedæmonian ships fled southward with favoring wind,¹ while those of the Athenian vessels that could do so—and many must have been seriously crippled besides the twenty-five actually lost—put back, against the wind which favored the Lacedæmonian fugitives, to their former station off the Arginusæ islands, as Xenophon expressly says.² Considering the extempore nature of a large part of the Athenian outfits, the long and desperate character of the battle in which they had been engaged, and the manifest absence of any one vigorously directing mind, even this return to their original position must have consumed considerable time. Arrived there, according to Xenophon—and his is the best account we have, they would seem to have held a muster and ascertained their losses.³ More time was, of course, consumed in this way. Then a council of war was held.⁴

Diomedon moved that all the ships put out in column for the rescue of the disabled vessels and their crews; Erasinides moved that all proceed with the utmost speed against the hostile fleet blockading Conon at Mitylene; Thrasyllus urged that both objects might be accomplished if they left part of their fleet there and sent the other part against the enemy at Mitylene. This last proposal was adopted, and then, since the work of rescuing the disabled vessels and crews was evidently unwelcome drudgery in comparison with the more exciting and glory-promising relief of Conon, the make-up of the squadron of rescue was elaborately determined as follows: from each of the eight generals' divisions, three ships; then the ten ships of the taxiarchs which had fought in the center of the line⁵; then the ten ships of the Samians and the three of the nauarchs which had also fought in the center, making forty-seven in all, or about four, as Xenophon is careful to have Euryptolemus point out,⁶ for each of the twelve disabled ships still afloat in the offing, whether the number was accurately known at the time or not. But not one of the eight generals assumed the command of, or took any share personally in this attempt at rescue. The trierarchs Thrasybulus and Theramenes, together with certain taxiarchs, were deputed to conduct the rescuing fleet,⁷ to which each general had contributed, as though to leave no rival any greater chance for glory at Mitylene than himself, exactly three ships. The rest of the fleet under the eight generals was to set out for Mitylene and the inferior enemy there.⁸

It is easy to see that (1) in the return after the battle, against

¹ *Ibid.*, i. 6, § 37.

² *Ibid.*, i. 6, § 34.

³ *Ibid.*, i. 6, § 29.

⁴ *Ibid.*, i. 7, § 31.

⁵ *Ibid.*, i. 6, § 33, and 7, § 29.

⁶ *Ibid.*, i. 6, § 35, and 7, § 29.

⁷ *Ibid.*, i. 7, § 30.

⁸ *Ibid.*

the wind, to the station at the Arginusæ, and (2) in the muster and council of war, and (3) in the assembling of so complicated a constituency as the fleet of rescue, much precious time was lost. During this time a messenger boat had carried tidings of the battle to the Spartan commander at Mitylene, Eteonicus; he had planned and executed the shrewd trick by which the tidings of Spartan defeat was converted, for his own forces and for Conon, into false tidings of Athenian defeat; he had then loaded his transports and sent them safely off under convoy of his triremes toward Chios, the rising wind favoring their swift passage past the spot where the Athenian generals were still deliberating.¹ The wind continued to increase in force, and at last, when the Athenians actually started to carry out the glorious and the inglorious project upon which it had taken them so long to agree, it was too stormy for either. They accordingly erected the customary trophy for their victory and bivouacked that night on shore.² The disabled vessels (at least twelve in number, as the defense of Eurypotemus admits), with the wounded or exhausted men still alive upon them, to say nothing of the dead, were left to their fate and disappeared.

The next morning, the wind having abated, the Athenian fleet effected its junction at Mitylene with that of Conon, who told them of the escape of the fleet which had been blockading him. Instead of instantly turning in pursuit to prevent if possible the concentration of the scattered fleets of the enemy, the Athenian fleet put in at Mitylene first, then sailed against their enemy at Chios, but accomplished nothing whatever there, and finally sailed away toward Samos.³ A glorious victory, won by the prowess of individual ships of the fleet rather than by any tactics adopted and carried out by the generals in command, had been marred by two inexcusable failures on the part of those generals: the failure to rescue the surviving crews of the disabled vessels before the storm made such rescue impossible; and the failure to attack either of the two divisions of the enemy's fleet while separated from one another and disheartened by defeat. Considering that the Athenian fleet was manned to an unusual degree by actual Athenian citizens instead of mercenary sailors; that twenty-five ships with nearly all on board, or about five thousand men, had been lost, and half of the men needlessly; that nothing had been gained except the relief of the beleaguered Conon; and that the whole issue—the naval supremacy of the Ægean—was still to be fought over again, it is no wonder that the victory

¹ *Ibid.*, i. 6, §§ 36, 37.

² *Ibid.*, § 35.

³ *Ibid.*, § 38.

of Athens was thought to be "Cadmeian", even before the death of the culpable generals, though the famous dream of Thrasyllus¹ depends for its rhetorical effect upon the subsequent tragedy.

The details of this subsequent tragedy are known to us mainly from the strangely incomplete story of Xenophon,² a writer whose oligarchical and Lacedæmonian sympathies are well known. His tendency is to make the conduct of the Athenian democracy seem as ridiculous as possible. His narrative, however, must be supplemented from the speech attacking the whole career of Theramenes which he puts into the mouth of Critias, and the *apologia pro sua vitæ* which he puts into the mouth of Theramenes in the dramatic scenes just preceding the latter's death, as well as from the numerous allusions to the conduct of Socrates in refusing to put an illegal motion to vote before the ecclesia, and from Diodorus (Ephorus).

In Xenophon's rhetorical *Agon*,³ where the speeches are to be treated exactly like the speeches in Thucydides—i. e. as rhetorical embellishments of the historical narrative, studded with phrases that actually were, as well as with those which, in the opinion of the historian, might well have been used on this particular occasion—the charge of Critias which seems to sting Theramenes most, and to which he first replies, is this: "This is the man who, ordered by the generals to rescue the drowning Athenians in the sea-fight off Lesbos, did not rescue them, and then accused the generals of the neglect, and got them put to death in order to save his own life".⁴ The burden of Theramenes's reply to this deadly charge is that in accusing the generals he was only acting in self-defense, since they accused him first of not carrying out the orders for rescue which had been given him. It was easy for him to convince the people that the storm rendered this impossible, since the generals admitted and even insisted that it was true.⁵

Why then were the generals put to death? For not having done what Theramenes convinced the people could not be done by reason of the storm? That would have been a cruel absurdity, to a belief in which the sophistical rhetoric which Xenophon puts into the mouth of Theramenes⁶ need drive no one. "In urging in my defense", Xenophon makes Theramenes continue, "the fact that the storm made it impossible even to sail at all, to say nothing of res-

¹ Diodorus, xiii. 97, §§ 6 ff.

² *Hellenica*, i. 7.

³ *Ibid.*, ii. 3, §§ 24-49.

⁴ *Ibid.*, § 32.

⁵ *Ibid.*, i. 7, § 6.

⁶ *Ibid.*, ii. 3, § 35. We need not suppose, as Pöhlig does (*loc. cit.*, 235), that Xenophon reproduces as nearly as he could a speech which he had himself heard, though this is not impossible.

cuing the [drowning] men, the city decided that I was within reason; but the generals were thought to inculcate themselves. They asserted over and over again that it was possible to save the men, and then abandoned them to destruction and sailed off".

Now, whoever can believe that the Athenian people pardoned Theramenes for not executing the commission to rescue the sinking crews given him by the generals, because he convinced them that the storm rendered the service absolutely impossible, but put the generals to death because their charging Theramenes with delinquency in executing the commission proved that they thought the service possible, and this on the basis of a rhetorical embellishment in a writer known to be bitterly hostile to the Athenian democracy—with such a one there is no further arguing. But he who cannot believe the Athenian people guilty of such bloody casuistry has a right to reconstruct a version of the affair of the condemnation of the generals on the basis of the indirect testimonies of the rhetorical authorities, when they are not warping facts for the sake of their rhetoric.

The first despatches of the generals after the battle made no mention at all of the tardy commission of the squadron of rescue, but simply laid to the storm the failure to rescue the sinking crews.¹ After the fruitless return of the victorious fleet, however, to Samos, when private advices of the conduct of the generals during and after the battle off the Arginusæ had supplemented their official despatches, all the eight generals who had been in command were deposed, and summoned home for an accounting. Two new generals, Ademantus and Philocles, were sent out to act with the liberated Conon.² The fatal results of having too large a board of commanders for particular service were thus tacitly recognized. Two of the delinquent eight generals, foreseeing the tempest of wrath which awaited them at Athens, and conscious of fault, did not venture to return for an accounting, but went into voluntary exile; six returned. Erasinides was at once accused by Archdemus, the demagogue in charge of the proletariat's *diobelia*,³ of pecuniary malfeasance in office, as well as of military misconduct. It was Erasinides, it will be remembered, who insisted, at the council of war, that the whole fleet should sail at once to Mitylene. The court remanded him for trial before the ecclesia.⁴ The senate, after hearing the other five, remanded them also for trial before the ecclesia.⁵

¹ *Ibid.*, i. 7, § 4.

² *Ibid.*, § 1.

³ *Ibid.*, § 2, adopting Dindorf's *δωβελίας* for the impossible *διωκελίας* of the MSS.

⁴ *Ibid.*, § 2.

⁵ *Ibid.*, § 3.

It had become well known by this time what their line of defense was to be. They were going to bring forward in their own defense the dilatory council of war and its cumbrous and at last impossible scheme for rescuing the sinking crews. If any one was to be held responsible by the people for the wholly unnecessary loss of the lives of brave victors, it should be, they would urge, the trierarchs Thrasybulus and Theramenes, those friends of the discredited Alcibiades. At once these two powerful men with their powerful following were converted into bitter enemies.¹ It was easy for them to show that when their commission was finally given them to rescue the sinking crews, it was already too late, and that the lives of the brave victors were really lost in consequence of the criminal delay which the generals allowed to occur between the close of the battle and the council of war, of which delay the generals had said nothing in their official despatches. For that fatal delay the generals, and the generals alone, were responsible.

The Apaturia festival, which intervened between the first and the second ecclesia, when the senate had been directed to propose a mode of procedure in the trial of the generals, naturally served, and would have served even without the emphasis said by Xenophon to have been laid upon it by the powerful party of Thrasybulus and Theramenes, to increase the popular wrath at that fatal delay.² A member of one of the abandoned crews, who had almost miraculously escaped, brought the fearful message from his drowning comrades to the people that the generals had left the city's bravest men to perish.³ Like a Paris commune the infuriated people swept all legal barriers and all the apologetic eloquence of Eurypotemus, which could only dwell after all on the tardy measures for relief taken by the generals after the fatal delay, alike aside, and hurried the guilty men, who had tried to roll the burden of their guilt upon innocent subordinates, to a common death which was certainly a most frightful travesty of justice. And yet justice was travestied, not in that innocent men were punished with death, but in that incompetent and cowardly men were punished beyond all just measure.

There is no evidence that Thrasybulus and Theramenes desired the death of the generals; they simply insisted that they, and they alone, should bear the blame for the first and fatal delays. And when the people afterward repented, not of having punished the generals, but of having punished them too hastily and severely, they wreaked their remorse on those who had incited them to the pun-

¹ Diodorus, xiii. 101, § 3.

² Xenophon, i. 7, §§ 7, 8.

³ *Ibid.*, § 11.

ishment which was too hasty and severe,¹ and not at all on Thrasybulus and Theramenes, who remained, both of them, in high honor. And it is very noticeable that Lysias, in an oration the success of which depended upon his blackening the character of Theramenes, makes no mention whatever of his behavior toward the generals at the Arginusæ, and in speaking of the punishment of those generals because they alleged that a storm prevented them from rescuing the sinking crews, attributes it to the feeling of the Athenian people that it was their duty to avenge the valor of the dead upon their commanders.²

Again, as after the revolution of 411, it was the misfortune, not the fault of Theramenes that he was obliged to oppose those whom he had formerly served. The *Frogs* of Aristophanes, brought out in the spring following the death of the six generals, contains thrusts at Theramenes which have just enough point to them to be intensely humorous, after the manner of Old Athenian Comedy, but also just enough falsity in them to be genuinely tragical. "That's like the man of brains and wit and large experience that you are", sings the chorus in praise of the shifty Xanthias, "to roll over to the comfortable side of the boat every time, rather than to stand like a graven image of consistency; and this twisting and turning toward the softer spot is the mark of a clever man, and of a regular Theramenes".³ And again, when Euripides claims Theramenes "the specious (ὁ κομψός)" as a specimen disciple, Dionysus cries: "Theramenes? a learned fellow, and powerful every way, who, if trouble comes, and he is right close by, makes the luckiest kind of a throw and escapes the trouble all right".⁴ It was a nasty scrape, that affair of the neglected hulks off the Arginusæ, and Theramenes was closely involved, and he did get off scot free, while his superior officers perished. But that is all that is needed to point the shafts of satire. We may be sure the jests would not have been so delicate if Aristophanes had in his heart believed that Theramenes betrayed his generals to death in punishment for a sin of which he had been more guilty than they. Even Old Athenian Comedy would hardly toy thus with a red-handed and treacherous murderer. The same playful tone toward Theramenes is maintained also by the earlier scholia on these verses of the *Frogs*; the later scholia adopt the Lysianic tone, in spite of the fact, which they note with surprise, that "Thucydides praises him".

¹ *Ibid.*, i. 7, § 35; Diodorus, xiii. 103, §§ 1, 2; Aristotle, *Ath. Pol.*, 34, § 1.

² *Contra Eratos.*, § 36.

³ vv. 534-541.

⁴ vv. 967-970.

IV. *The Establishment of the Thirty in Athens (404-403 B. C.).*¹

With what are, for present purposes, unimportant differences in minor details, Xenophon, Diodorus (Ephorus), and Aristotle put a more or less eulogistic interpretation on the motives of Theramenes's participation in the events of this closing period of his life, and Lysias alone a malignantly hostile interpretation. The main events of the period are familiar, and there is little dispute about what Theramenes actually did, as in the matter of the death of the six generals, but diametrically opposite judgment of his motives in doing what he did. Here Lysias is the mouthpiece of the most radical democracy, which hated the conservative and mediating course of Theramenes almost if not quite as bitterly as it hated the extreme oligarchical procedure of a Critias, and quite as bitterly as Critias hated Theramenes. "Die Anhänger der πατριος πολιτεία", says Wilamowitz-Möllendorff,² "waren von beiden Seiten angefeindet, aber sie haben in Wahrheit Athen gerettet; die Radicalen fürchteten sie ungleich mehr als die extremen Oligarchen".

When this young and brilliant man pronounced his oration against Eratosthenes, who had been one of the Thirty, he was inspired by two passionate desires: one to avenge the shameful murder of a beloved brother by order of the Thirty, the other to establish such a reputation for himself as would make the career of λογογράφος, which he had chosen for support in reduced circumstances, a lucrative one. A metic himself, he naturally reflected the sentiments of extreme democracy. But there were still more cogent reasons for the malignant attack on Theramenes which occupies so large a part (nearly one-fifth) of the speech against Eratosthenes. Like Theramenes, and following his lead, Eratosthenes had belonged to the moderate wing of the Thirty, but had been successfully terrorized, as Theramenes could not be, into acquiescence in the murderous excesses of the extreme oligarchs. The restricted democracy being now restored again by Thrasybulus, and Theramenes being naturally its idol—not only because a restricted democracy had been the constant aim of his political activity, but because he had given his life in an unavailing effort to secure it from Critias and the extremists, Lysias can only win his case against Eratosthenes by blackening the memory of Theramenes, behind whose popularity with the restored democracy Eratosthenes was evidently shielding himself. "Let no one fancy", Lysias says,³ "that I am accusing Theramenes though Eratosthenes is the man on trial. I understand that Eratos-

¹ The ancient authorities here are Xenophon, *Hellenica*, ii. 2-3; Lysias, *contra Eratos.*, 68-80; *contra Agor.*, 8-46; Diodorus, xiv. 2-5; Aristotle, *Ath. Pol.*, 34-37.

² *Aristoteles und Athen*, II. 222.

³ § 62.

thenes intends to defend himself with the plea that he was a friend of Theramenes and a partner in his achievements . . . that man who cheated the citizens into tearing down, to please Sparta, the walls which Themistocles built in spite of Sparta". Here Lysias subtly improves the telling rhetorical thrust made at Theramenes more than a year before, as we learn from Plutarch,¹ by a young orator named Cleomenes, to which at the time Theramenes had made the perfect reply: "Themistocles raised these walls for the safety of the citizens, and we pull them down for their safety; and if it is walls alone that make a city happy, then Sparta must be the most wretched of all cities, since she has none whatever".

By his long, patient, unenviable, and thankless labors as mediator between Sparta and Athens after the catastrophic defeat of the latter at Ægos Potami, Theramenes did actually save Athens from a far worse punishment than that which finally befell her, for there were many and powerful enemies of Athens who clamored for her utter extinction.² The resistance of Athens to Sparta after Lysander by sea and Agis by land had closed in upon her was as hopeless and useless as the resistance of the commune of Paris to the investiture of the Germans—far more so, since there were no provinces to which Athens could appeal for help. But this hopelessness and uselessness the socialistic democracy of Athens would not see till hunger opened their eyes, and then they had to accept less favorable terms than Theramenes could have secured for them before their exasperating delay. Then they were fain to lay their sufferings from famine at the door of the man who had saved them, and Lysias magnifies their cruel injustice, and fixes it forever in the brilliant rhetoric of his special pleading, even after that savior had sealed his devotion to the best interests of his city with his life. The fact that Eratosthenes as friend and follower of Theramenes could count on sympathy, "dient dem Redner [Lysias]", says Wilamowitz-Möllendorff,³ "nur zu dem vom wildesten Hasse eingegebenen und grösste Lüge nicht scheuenden Angriffe auf den toten, von eben den Dreissig getöteten Theramenes".

Passing now over the malignant interpretations of the career of Theramenes down to the time of the Thirty, which Lysias goes on to give, since they have been already, in large part, considered, we come to the charge, inherently so damaging to the case of Lysias, that Theramenes took advantage of the high honor and esteem in which the people held him to come forward, when Sparta was un-

¹ *Lysander*, xiv.

² *Xenophon*, ii. 2, § 19.

³ *Aristoteles und Athen*, ii. 222.

willing to grant terms of peace acceptable to the extreme democracy, and deceive the people into entrusting the terms of peace entirely to him, promising that he would make peace without giving of hostages, without demolition of walls, and without surrender of ships. Of what simple facts this charge is a gross perversion may be seen from the narrative of Xenophon,¹ which is certainly told in none too friendly a spirit toward Theramenes:

Such being the state of affairs [*i. e.*, a hunger-driven embassy to Agis, and from him toward Sparta with proposals contemptuously rejected by the Ephors on the border; then despair, fear of enslavement, of ravages by famine, and yet greater fear to propose acceptance of the Spartan demand for the demolition of part at least of the long walls, because it had been voted illegal], Theramenes proposed in ecclesia that if they would send him to Lysander, he would ascertain before he came back what the real intention of the Spartans was in insisting on a demolition of the walls — enslavement, or a guaranty of good faith.

But it is needless to follow in detail Lysias's interpretation of those acts of Theramenes which made him the Thiers of this vexatious and inglorious time. A sentence of George Saintsbury's on Thiers might, *mutatis mutandis*, be said of the successful conclusion of peace between Athens and Sparta by Theramenes: "After contesting the matter, on the one side with the determination of Germany to have the pound of flesh, on the other with the reluctance of the Assembly to submit to the knife, he succeeded in convincing the deputies that the peace was necessary".² The resemblance between Lysander and Bismarck makes the parallel all the more complete.

The same fact in Theramenes's career at this time is capable of diametrically opposite interpretations according to the friendly or hostile attitude of the judge. Theramenes did undoubtedly remain with Lysander nearly four months after he had gone from a starving city, to see what his harsh terms of peace really meant. A defamer like Lysias says that his delay was intentional,³ in order that the democracy might be starved into acceptance of the oligarchical terms which he, in collusion with Lysander, was eager to impose upon his city. A fervent modern apologist interprets the fact thus:

Das war ja nun offener Wahnsinn [*i. e.*, the refusal of the radical democracy under Cleophon to listen to any terms from Sparta involving demolition of the walls]; denn Athen hatte von keiner Seite Hilfe zu erwarten . . . jede Verlängerung des Widerstandes also konnte nur die Folge haben, die Forderungen der Sieger zu steigern. . . . Das abzuwenden, erbot sich Theramenes, als Gesandter zu Lysandros zu gehen, um den Versuch zu machen, bessere Bedingungen zu erwirken; er wusste

¹ ii. 2, § 16.

² *Encyclopædia Britannica*, art. Thiers.

³ *Contra Agorat.*, § 11.

natürlich sehr wohl, dass er nichts erreichen würde, aber es galt, die Verhandlungen hinzuziehen bis das Volk zur Besinnung gekommen wäre.¹

Theramenes himself said, according to Xenophon,² that Lysander had detained him all that time, and then had sent him back with the old message of Agis, that Athens must apply to the Ephors, not to him. It was Lysander, then, who was trying to starve the democracy of Athens into reason. There is absolutely no reason why the word of Theramenes should not be taken here.

Again, in the establishment of the Thirty in Athens, no doubt Theramenes worked in concert with Lysander, because he had to. Some concessions to a conqueror must always be made. But when Lysander had left the Thirty to themselves, Theramenes began to insist, as he had insisted during the oligarchy of the Four Hundred, six years before, that the political power be lodged in the hands of a limited body of citizens who were able to serve the state with arms and money. This was his constant ideal. When the ruthless proscriptions by the extreme oligarchs among the Thirty began to make their hold of power precarious, he boldly opposed the mercenary murders which his colleagues were setting on foot—such murders as that of Lysias's brother, Polemarchus—and urged that the list of three thousand citizens which the extremists had reluctantly drawn up be indefinitely enlarged. How Critias, fearing that his cruel sway would be overthrown by the more popular policy of Theramenes, coerced the cringing Senate into acquiescence in the execution of Theramenes as a traitor is a familiar story.

Lysias³ would have agreed with Critias,⁴ extreme democrat with extreme oligarch, that Theramenes was led by disappointment and jealousy to plot against his colleagues, as he had done at the time of the Four Hundred. But Xenophon puts a perfect defense in the mouth of Theramenes⁵: as long as the Thirty labored to establish a strong and good government, he was with them; but when they began to persecute good citizens, then he turned against them. And better still is Aristotle, in a passage from which, until the discovery of the *Constitution of Athens* in 1890, we had only a fragmentary and tantalizing citation in Plutarch's *Nicias*⁶:

The best conservative Athenian statesmen, after the ancients, would seem to have been Nicias, Thucydides (son of Melesias), and Theramenes. As regards Nicias and Thucydides, there is almost universal agreement that they were not only good and true men, but also statesmen who served the whole state with all the affection of a father toward a

¹ Beloch, *Griechische Geschichte*, II. 106.

² ii. 2, § 17.

³ *Contra Eratos.*, § 78.

⁴ Xenophon, ii. 3, § 28.

⁵ ii. 3, § 38.

⁶ C. ii.

child ; but as regards Theramenes, from the fact that political affairs in his time were so full of convulsion, there is some debate about the final estimate. To those, however, who pronounce no cursory opinion, he appears not to have destroyed all the forms of government under which he lived, as they slanderously say of him, but rather to have furthered them as long as they transgressed no law, with the feeling that he could serve his country under all forms of government — which is the sign of a good citizen ; as soon as they ran counter to the laws, he no longer gave them allegiance, but incurred their hate.¹

It cannot rob these words of their convincing force to assign them to some oligarchic "source" from which Aristotle is drawing. Even in that case, Aristotle makes them his own by adoption, and gives them the great weight of his judicial opinion. It is the verdict of a great political student, whose political preferences were for a constitution midway between that of Pericles and that of Antiphon, in favor of a man who had consistently sought to establish such a constitution, only to be hated therefor by extreme democrats like Lysias, and extreme oligarchs like Critias.

It is needless to go into the separate details of this last effort of Theramenes to realize his constant ideal of a restricted democracy. According as the historian comes to their consideration with a favorable or an unfavorable estimate of the aims and motives of Theramenes hitherto, will he judge them in the Lysianic or the Aristotelian spirit. If he finds that in the first three great issues of his career Theramenes consistently followed a *via media* between the two extremes of political faction in the state ; that he devoted his great powers to the loyal service of the state in subordinate as well as commanding capacities ; that he was unfortunate but not culpable in the fact that twice he was obliged to see former comrades and colleagues suffer for conduct in which he had properly refused to keep them company, then the historian will estimate the motives which actuated him during the last great issue of his life—the establishment of peace between Athens and Sparta, in the Aristotelian spirit. Athens was inextricably in Sparta's power, and starving at that ; while the two extremes of political faction differed from one another in their policy as far as unconditional surrender and no surrender at all. It was pity, the historian must say, not selfish ambition, which drove Theramenes to undertake personally negotiations for peace with a Sparta where Lysander's word was law. He had to work with Lysander in order to bring anything to pass ; but it is gross injustice to attribute to him, as Lysias does, the motives which undoubtedly did actuate Lysander in what they jointly brought to pass. Here again the words which aptly describe the work of

¹ *Ath. Pol.*, 28, § 5.

Thiers in effecting a peace between France and Germany in 1871 are apposite:

Probably no statesman has ever had a more disgusting task; and the fact that he discharged it to the satisfaction of a vast majority, even in a nation popularly reputed the vainest, the least ballasted with common sense, and the most ungrateful to public servants who are unsuccessful, is the strongest testimony to Thiers's merits.¹

What the final word of Thucydides about Theramenes would have been, had he lived to write of the execution of the six generals and the establishment of the Thirty in Athens, can only be conjectured. But since he does not expressly condemn his motives in the deposition of the Four Hundred, and does praise the constitution which historians with perfect justice call the "Constitution of Theramenes" as the best which Athens ever had, we may be reasonably sure that he would have had only praise for him when he attempted to reestablish that constitution in opposition to the cruelties of the extremists among the Thirty. Thucydides and Aristotle, then, in calm and dispassionate commendation of Theramenes's career, stand over against a wavering, uncertain Xenophon, and the rhetorical partizan of the Athenian commune, Lysias. Thus far the partizanship of Lysias disfigures too much the current modern estimates of Theramenes; but the estimates of Thucydides and Aristotle must in the end prevail. No one holds that Theramenes was exempt from the faults so generally characterizing his day and generation; he may have been, judging by modern standards, ambitious, cruel, sophistical. But judging by the standards of his time, he was free from treachery and chicanery, a sincere patriot, and, as Aristotle insists, a good citizen.

Erst die Nachwelt hat ihm Gerechtigkeit widerfahren lassen; Aristoteles nennt ihn einen der drei besten Bürger, die Athen seit den Perserkriegen hervorgebracht habe, und ähnlich war das Urteil des ganzen späteren Altertums. Wir aber, die wir heute in demselben Kampfe stehen, gegen ein beghrliches Proletariat und ein ebenso beghrliches Junkertum, werden dem antiken Vorkämpfer unserer Sache unsere Sympathie nicht versagen.²

BERNADOTTE PERRIN.

¹ George Saintsbury in *Encyclopædia Britannica*, art. Thiers.

² Beloch, *Griechische Geschichte*, II. 72-73.

With his artistic and impassioned *Gorgo, a Romance of Old Athens* (Boston, 1903), Professor Gaines, of St. Lawrence University, while naturally making many assumptions in favor of Theramenes for which there is no historical warrant, has admirably succeeded in that rehabilitation of Theramenes which this paper seeks to accomplish by the slower and duller art of the historian.

So Professor Morgan, of Harvard University, in the introduction and notes to the Eratosthenes in his *Eight Orations of Lysias* (Boston, 1895), shows himself fully in sympathy with the Aristotelian estimate of Theramenes.

CORNAGE AND DRENGAGE

IN the medieval records, whether national or local, that relate to the four northern counties of England, the term cornage¹ occurs with some frequency from the twelfth to the fourteenth centuries. The question of the origin and nature of the institution to which this term applied has been discussed with various degrees of learning and acumen since the time of Littleton without, unhappily, producing any explanation that has passed unquestioned. The truth is that the documents at our disposal appear to contradict one another, to lack self-consistency. The term cornage would seem to describe now one thing, now another, according to the date of the document or the region from which it emanates, and yet there is evidence of an original and underlying unity which cannot be disregarded.

A plain statement of a troublesome problem is often a step toward its solution. A statement of that kind, based on a reëxamination of such material as is available in print, is the purpose of the present study. It should be remarked at the outset, however, that our evidence is meager and fragmentary; further, that it consists of two classes, namely, national and local records. Now, in treating problems of local history it is manifest that the evidence of a local charter, chronicle, or other record is to be preferred to that of a document emanating from any of the departments of the central government. Obvious as this principle is, it has been too often disregarded, and particularly in the discussions of cornage this disregard has produced unnecessary complication and confusion.

The records of the bishopric of Durham furnish fuller and more continuous illustration of cornage than those of the adjoining counties, and may therefore be examined first. The earliest texts come from the reign of Henry I. They consist of a charter of Bishop

¹Other terms were also employed, *geldum* or *cornagium animalium* in the pipe-roll of 31 Henry I. for Cumberland and Durham, edited by Joseph Hunter (Record Commission, 1833); *gablum animalium* in a charter of Henry I., *Placitorum Abbreviatio* (Record Commission, 1811), 66b, 67a; *noutegeld* in *The Pipe Rolls for the Counties of Cumberland, Westmorland, and Durham, during the Reigns of Henry II., Richard I., and John*, in the rolls for Cumberland and Westmoreland, Society of Antiquaries of Newcastle-upon-Tyne, 1847; *hornegelde*, *Bracton's Note Book* (edited by F. W. Maitland, 3 vols., London, 1887), No. 1270; cf. *Victoria History of Cumberland* (London, 1901), I. 314-315.

Ranulf Flambard,¹ restoring to the prior and convent certain lands of which he had deprived them, and the king's confirmation of that charter. The bishop conveys *inter alia* "Burtun cum solitis consuetudinibus"; the king is more explicit: "cornagium de Bortona quod Unspac tenet, scilicet, de unoquoque animali 2d."² Here then is a point of departure; cornage was a payment made by a vill—not by the lord of the vill—on beasts at the rate of two pence per head. The natural inference that in this case at least the payment was made for the right to pasture cattle would be confirmed by the fact that in 1296 the *communitas* of Burton was permitting the tenant of every bovatē in the vill to turn out two beasts on the pasture.³ After the death of Flambard in 1128 the see was vacant for five years, and its revenues therefore figure in the national accounts. In the pipe-roll of 31 Henry I. accordingly we may read in the account of Geoffrey Escolland, who was keeper of the temporalities *sede vacante*, "de cornagio animalium episcopatus" 110l. 5s. 5d.⁴

From this it might be inferred that all the villis of the bishopric paid the bishop for the pasture of their cattle, and that cornage was therefore a universal institution and a source of considerable revenue. But this, in the light of further evidence, would be an unauthorized conclusion. Evidence of this sort comes from the well-known record called *Boldon Book*, the survey in which in 1183 Bishop Hugh Pudsey ordered to be described "omnes redditus totius Episcopatus sui sicut tunc erant, et assisas et consuetudines sicut tunc erant et ante fuerant";⁵ a kind of local Domesday Book. Now it is commonly said that this record received its name from the vill of Boldon, to the minute description of which, as the typical episcopal manor, the reader is frequently referred.⁶ It will presently be shown that this statement is misleading; but let us consider first the cornage payments on the manor of Boldon. There are twenty-two villains, each holding two bovates of land and doing week-work

¹ Flambard became bishop of Durham in 1099; he was deprived in 1100, restored again in 1107, and died in 1128; W. Stubbs, *Registrum Sacrum Anglicanum* (second edition, Oxford, 1897), 41; Le Neve, *Fasti Ecclesiæ Anglicanæ*, edited by T. D. Hardy (Oxford, 1854), III. 282–283; J. H. Ramsay, *Foundations of England* (London, 1898), II. 256.

² Both charters are printed in *Feodarium Prioratus Dunelmensis* (edited by W. Greenwell, Surtees Society No. 58), 145 note, 149 note.

³ *Durham Halmote Rolls* (edited by J. Booth, Surtees Society No. 82), 12.

⁴ *Rotulum Pipæ 31 Henrici I.* (ed. Hunter, Record Commission, 1833). A translation of the part of the record referring to Durham may be read in Canon Greenwell's edition of *Boldon Book*, Surtees Society No. 25, appendix, i–iii.

⁵ *Ibid.*, I.

⁶ Robert Surtees, *History of Durham* (London, 1816), I., Part I., xxvi, 73; T. D. Hardy, *Catalogue of Materials* (Rolls Series, 1865), II. 445. But see *Boldon Book*, preface, v–vi; C. Gross, *The Sources and Literature of English History* (New York, 1900), No. 1898.

and boon-work, as well as a particular allotment of plowing, harrowing, and mowing and certain miscellaneous and occasional services; further, there was an annual render in money and kind; finally, "Tota villa reddit 17s. de cornagio et i. vaccam de metride."¹ The bishop's unfree tenants at Boldon, that is, are making a payment for what we have inferred to be the right to pasture cattle, and further are making it partly in money and partly in kind, by the render of a milch cow. The villains of many other of the bishop's manors were also paying cornage. It should be noted, moreover, that with a few exceptions, which will be dealt with presently, this obligation rested on the unfree only. In Boldon in 1183 there is no doubt that cornage is merely an incident of unfree tenure, a seigniorial due, and, if compared with others, not a very important one.²

Now this due, and here is a point of importance, was not incumbent on all the manors of the bishopric. *Boldon Book* deals with, roughly, about 141 villis; of these thirty are noted as rendering cornage and a milch cow, and form therefore a distinct type or class. Nine more may be added because, although they pay no cornage, they render either the milch cow or "castleman" (an incident distinct from cornage, but characteristic of the type),³ or, as in the case of Norton, are relieved from cornage "pro defectu pasturæ".⁴ Further, fourteen villis, having compounded for all or nearly all their service for a money payment, might be regarded as doubtful. Still, as one of these is noted in *Boldon Book* itself as paying a composition for cornage, and two others in *Bishop Hatfield's Survey*, a fourteenth-century record similar to *Boldon Book*, it may be inferred that the rest are of another class. Finally, thirty-nine villis in *Boldon Book* are held of the bishop in chief, and here the services are not enumerated, but on turning to *Hatfield's Survey* we find that only three of them are paying a cornage composition. This rough calculation shows that of the 141 villis enumerated in *Boldon Book* only forty-five, or less than one-third, are of the cornage type.

It is clear now that not all the villis of the bishopric paid cornage. Were it convenient in this place to enter into a more minute analysis

¹ *Boldon Book*, 3-4.

² The bishop took from Boldon 55 shillings scot and 28 shillings, six pence averpenny as against 17 shillings cornage plus 6 shillings, the regular tariff of composition for the milch cow.

³ On this point see Hubert Hall, *Red Book of the Exchequer* (Rolls Series, 1896), II., preface, ccxxvi-ccl; J. H. Round, *The Commune of London* (London, 1899), 278-288, and the same writer's paper on "Castle Guard," in *Archæological Journal*, second series, IX. 144-159.

⁴ *Boldon Book*, 12-13. This was a permanent exemption and not due to the failure of pasture for a single season, for the entry reappears in *Bishop Hatfield's Survey*, circa 1384 (edited by W. Greenwell, Surtees Society No. 32), s. v. Newton.

of *Boldon Book*, it could be shown that all the vills group themselves naturally into four or five classes. These classes resemble each other in the general nature of the unfree tenure, the services rendered, and the like, but they differ in certain particular burdens or obligations arising, as it would seem, out of special conditions or environment. A good example of this contrast is found in the group of vills which lay within the bishop's forest and were burdened with certain services in the *magna casa*, the great annual battue.¹ Just as these were forest vills, so those of the Boldon or cornage-paying type were pasture vills, and for the most part intercommoning. This indeed seems to have been a very general usage in the bishopric; fifteen of the forty-five cornage vills are grouped in pairs or triplets for the render of cornage and milch cows,² and in a charter of Roger Bertram, lord of Ketton, in the second half of the twelfth century, it is stipulated that his men are to have common pastures with those of a neighboring vill, "sicut habent aliæ vicinæ villæ in aliis vicinis locis."³

At the close of the twelfth century, then, cornage in Durham was an incident of unfree tenure in certain specially situated vills. It was being paid partly in kind and partly in a money payment specifically described as the composition for the render of a cow (*vacca de metride*), indicating that the institution was already ancient and had been made the subject of at least a partial composition. From the nature of the evidence connecting cornage at every turn with cattle and pasture we are led to the inference that it was a payment made for the agistment of cattle, and from the survival of the render of a milch cow that it had originally consisted of an annual render of cattle, perhaps a proportion of the increase of the herd.

This raises several interesting points in regard to the dark beginnings of the institution, connecting it at once with the obscure and vexed questions of manorial origins. Is the fact that the lord is taking tribute for the use of the pasture-land a usurpation or the recognition of an act of grace and favor? Or again, is it to be regarded as the survival of the privilege of a tribal chief from whom the ancestors of these cornage-paying villains had received stock? These speculations fall outside the scope of the present essay, which aims rather to discover what cornage meant to the men of the

¹ Stanhope is the type of this class, *Boldon Book*, 29. This hunting tenure is not peculiar to Durham, and even there is not restricted to the unfree. See Frederic Seebohm, *The English Village Community* (London, 1883), 71.

² *E. g.*, *Boldon Book*, 5, 6, 9; cf. also *Finchale Chartulary*, Surtees Society No. 6, Nos. xcv, cxx, cxxi.

³ *Feodarium*, 156, note.

twelfth century, who met with it as a vital if already isolated and decaying institution. The knowledge of how it came into being and what it might have been at its prime cannot, for the present at least, be attained unto.

Thus far our results are simple, obvious, and for the most part familiar. Many writers have already defined cornage as a tribute on horned cattle turned out to pasture, although up to the last century the learned antiquarian world was satisfied with Littleton's fantastic definition.¹ Surtees, the historian of Durham, in the last century recognized that cornage was a tribute on beasts²; somewhat later John Hodgson Hinde, the Northumbrian antiquary, treated the matter at greater length, reaching the conclusion to which we have already been led.³ Then Mr. Seebohm, working from *Boldon Book*, stated the matter in clear terms in 1883,⁴ and in 1894 Mr. Crump called attention to the important charter of Henry I. which has been quoted above.⁵ Finally this conclusion has received the warrant of high authority by the adhesion of Professor Maitland and Mr. Round.⁶

But we may not yet congratulate ourselves that we have reached the whole truth about cornage. Some disconcerting texts remain to be examined. In the first place, *Boldon Book* affords several instances of freemen paying cornage, a fact which apparently reverses our theory that cornage was distinctively an incident of unfree or villain-tenure. But if we suppose that, like many other such incidents, this charge had by the twelfth century got itself fastened to the soil and in such a way indeed that every bovate in any vill was answerable for a fixed portion of the cornage of that vill, then the difficulty disappears. If a free tenant held several bovates in a cornage-paying vill, he would naturally not be grouped for the purpose of cornage with the villains, nor, on the other hand, would the bishop be deprived of his due by reason of his tenant's status. Again, the same reasoning would hold in case the whole or the fraction of a cornage-paying vill was granted to a freeman. With this

¹ Sir Thomas Littleton, *Tenures* (London, 1829), paragraph 156: "It is said, that in the marches of Scotland some hold of the king by cornage, that is to say, to wind a horn, to give men of the country warning, when they hear that the Scots or other enemies are come or will enter into England".

² Surtees, *History of Durham*, I. 252.

³ Hodgson, *History of Northumberland* (Newcastle-upon-Tyne, 1858), I., Part I. 258-263.

⁴ Seebohm, *English Village Community*, 68-72.

⁵ R. H. I. Palgrave, *Dictionary of Political Economy* (London, 1894), I. 426-427.

⁶ F. W. Maitland, "Northumbrian Tenures", in *English Historical Review*, V. 627 ff. (October, 1890); *Domesday Book and Beyond* (Cambridge, 1897), 147; J. H. Round, *Commune of London*, 278-288.

hypothesis in mind, we may examine the passages referred to. At Heighington there are sixteen villains, each of whom holds two bovates; these render *inter alia*, 36s. *de cornagio* and one milch cow. Now follow two striking passages: "Hugo Brünnē tenet, quamdiu uxor ejus vixerit, ii. bovates pro iis., quos reddit ad cornagium. . . . Simon hostiarius ibidem tenet terram quæ fuit Utredi, cum incrementis quæ Dominus Episcopus ei fecit usque ad lx. acras, et reddit pro omnibus i. besancium¹ ad Pentecostem."² Now the first of these gives us the cornage rate at Heighington; it was one shilling on the bovatē, and the words "reddit ad cornagium" certainly suggest a contribution to some larger sum. Further, the phrasing of the text suggests a beneficial rating; it was being held at sixty acres—that is, of course, two bovates—and it paid two shillings as a contribution, we can scarcely doubt, to the cornage of the vill. For observe that at the rate of one shilling on the bovatē the sixteen villains would pay only thirty-two shillings, four shillings short of the recorded cornage of the vill. Now if you add the four shillings from the two free tenants you have exactly the sum, thirty-six shillings. A similar case occurs at Escombe,³ where our formula may again be tested. There are fourteen villains, "quorum unusquisque habet i. bovata, et reddit et operatur omnibus modis sicut villani de North Aclet." At North Auckland each villain rendered nineteen pence cornage. Now at Escombe "Elzibrid tenet dimidiam bovata, et reddit . . . 9d. de cornagio", that is, at the rate of nineteen pence per bovatē he is one-half penny short. The case of Herrington is very instructive.⁴ The entry reads as follows: "Duæ partes de Heringtona, quas Hugo de Hermas tenet, reddit [sic] 20s. de carnagio et ii. partes i. vaccæ de metride", etc. Observe that it is not the tenant Hugh who is described as paying the cornage and the proportion of the milch cow, but the two parts of the vill which he holds. This corroborates our inference that cornage had become a

¹ *I. e.*, 2 shillings. See *Boldon Book*, 16, 21, 30, 34. On page 30 the best manuscripts give the value of the besant at 4s., but on page 34 all agree on 2s., which was the customary value of the coin. Cf. C. Trice Martin, *Record Interpreter* (London, 1892), glossary, s. v. bisantius.

² *Boldon Book*, 21, and notes. I have adopted here the alternative readings which Canon Greenwell has placed in the notes. They correspond in nearly all cases with those of the oldest manuscript of *Boldon Book* (Stowe MS. No. 930, British Museum), of which I have a collation with the printed text. Canon Greenwell was unable to make use of this manuscript (*Boldon Book*, preface, ix). Sir T. D. Hardy was of the opinion that the Bodleian manuscript from which Sir H. Ellis printed the text of *Boldon Book* derived either from the original or from earlier transcripts than that upon which Canon Greenwell's text is based (*Catalogue of Materials*, II. 444); the collation of the Stowe manuscript bears out this view, which I have consequently adopted.

³ *Boldon Book*, 24-25.

⁴ *Ibid.*, 36.

real burden. Sheraton, again, is a case similar to Herrington.¹ John holds one-half of the vill "pro iii. marcis, et est quietus de operationibus et servitiis" in return for Craucrok, which he had quit-claimed to the bishop. "Thomas tenet aliam medietatem de Shur-utona et reddit 30s. de cornagio, et dimidiam vaccam de metride", etc. Finally there is a curious case at Whitewell.² "Whitewell, quam Willelmus tenet in escambium pro terra, quam Merimius tenebat in Querindune, reddit dimidiam marcā". Now the group of villas known as Quarringtonshire had pasture and paid cornage, and it is probable therefore that when the exchange was made, this incident would be reckoned in the composition at which William was holding his new land. On turning to *Hatfield's Survey* we find this expectation confirmed. The manor of Whitewell there figures as a member of Quarrington. The master of Sherburn hospital holds the manor and the pasture and renders *inter alia* two shillings for cornage.³

We may conclude, then, that as early as the time of Bishop Pudsey's survey cornage had begun to lose its original character as an incident of unfree tenure and to assume that of a real burden; so that where a freeman received from the bishop a holding in a cornage-paying manor, or the whole of the manor, he would be responsible to his lord for a proportion or the whole of the cornage of the manor. Fortunately we have a case illustrating this change. In the middle of the twelfth century Laurence, prior of Durham, conveyed to a certain Roger the land known as Pache, a member of Monkton, Jarrow, one of the most ancient parts of the *Patrimonium S. Cuthberti*. The terms of this document are noteworthy: Roger was to hold the land "in feudum et hereditatem, ei et heredibus ejus in perpetuum possidendam, per hanc convencionem, scilicet, quod pro tota hac terra simul reddet 16d. ad Rogaciones et 16d. ad festum Sancti Martini, et pro cornagio dabit 2s. in anno, scilicet, ad festum Sancti Cuthberti, et pro metreth quantum ad eandem terram pertinet, ad festum Sancti Martini."⁴ This land was returned to the convent in 1347 by a certain Walter Smyth.⁵ In 1373 Thomas Willi was holding of the prior in Monkton eighty acres of land "quondam Walteri Smyth de Monkton quæ solebant reddere scaccario 2s. et pro cornagio 20d."⁶

Here, then, the cornage payment has fastened to the soil, has

¹ *Ibid.*

² *Ibid.*, 10.

³ *Bishop Hatfield's Survey*, 150.

⁴ *Feodarium*, 114, note.

⁵ *Ibid.* The editor, Canon Greenwell, cites the charter but does not print it.

⁶ *Durham Halmote Rolls*, 119.

become a burden on the land, a part of the *forinsecum servitium*, the obligation, that is, which the land owed to the king (in this case to the bishop), regardless of what other tenurial relations might have been established in connection with it. In that phrase lies the key to the later history of cornage in the bishopric. The changes which occurred after the Norman Conquest acted on cornage as on other institutions, fastening it to the soil. In such villas as remained in the bishop's hand, cornage continues to be paid by the villains.¹ In the villas that were granted out by him it became a part of the *forinsec* service which his tenants rendered him and which, no doubt, they collected for themselves from their unfree tenants. This point also may be illustrated by texts. In 1183 the vill of Great Usworth was in the bishop's hand; the villains rendered thirty shillings *de cornagio* and one milch cow.² In 1384 "Willelmus de Hilton miles tenet ii partes villæ de Magna Usworth, et Alicia de Moderby terciam partem dictæ villæ per servitium *forinsecum*, et reddunt per annum ad iiii terminos usuales 10s. Iidem Willelmus et Alicia . . . reddunt pro cornagio dictæ villæ per annum, ad festum Sancti Cuthberti in Septembri, 30s. Iidem reddunt pro i vacca de metrith, ad festum Sancti Martini, 6s.",³ etc. The omitted portions contain a list of money payments for the renders and services of the villains as recorded in *Boldon Book*. Like cases will be found at Ivestan, Sheraton, and Herrington.⁴

In this aspect of cornage as *forinsec* service it might fairly be compared to scutage, the more so owing to the fact that the bishopric was a great franchise in which the bishop was rapidly attaining recognition of his claim to be "in loco regis".⁵ To illustrate this we may match Prior Laurence's charter, quoted above, with another issued somewhat later in the century. Odo de Bruntoft grants certain lands to Reiginard son of William to be held by him at the service of one pound of pepper and "faciendo . . . *forinsecum servitium Domini Regis* scilicet scuagium in denariis quando communiter ponitur inter milites et barones de haliwariffolc quantum pertinet ad duas bovatas terræ in eadem villa."⁶

Let us bring together now the results of our examination of the Durham evidence. In the first place, whatever the origin of cornage may have been, it was, when we meet with it in the documents of

¹ E. g., *Hatfield's Survey*, s. v. Boldon, Easington, Middleham, Ryhope.

² *Boldon Book*, 35.

³ *Hatfield's Survey*, 102.

⁴ *Boldon Book*, 31, 36; *Hatfield's Survey*, 119, 152, 157.

⁵ G. T. Lapsley, *The County Palatine of Durham* (New York, 1900), chapters I., II., V.

⁶ This charter is printed *in extenso* in Surtees, *Durham*, III. 386.

the twelfth century, an incident of unfree tenure. Further, it was not universal in the bishopric, but occurred only in such villas as had pasture, and there it represented at once the villains' recognition of their lord's proprietorship of the pasture and a payment for the use of it by their cattle. This payment, it would seem, had originally been made in kind out of the annual increase of the herd, but in the twelfth century was already compounded for a money payment and the render of a milch cow. Then we have marked in the twelfth-century documents the tendency of this payment to fasten itself to the soil and become a real burden running with the land without regard to the status of the holder. Finally, from later documents we have been able to assert the predominance of this tendency, which caused cornage—or rather the money composition for cornage and the milch cow together—to merge in the forinsec service of such lands as were charged with this burden.

Certain other results, no less important because they are negative, may also be stated as the outcome of our inquiry. We have seen no warrant for describing cornage as a tenure such as might be coördinated with socage or serjeanty or the like. It was rather one of many incidents of villain-tenure peculiar to such villas as enjoyed certain advantages from their lord. Again, we have met with no reason for connecting cornage with any special form of military service incumbent on the entire bishopric. That is on the face of it impossible, because cornage was not universal. This last objection, again, will hold against any attempt to describe cornage as a general impost or tax. It is desirable to have these negative results clearly stated, because evidence will be forthcoming from other counties in apparent contradiction of them.

From the bishopric of Durham we turn naturally to the neighboring county of Northumberland, which had also formed part of the ancient kingdom of Northumbria. With this fact in mind, we should naturally expect to find the history of cornage the same here as in Durham; to find, namely, a seigniorial due transmuted into a real burden, or more fully, a render for the agistment of cattle, originally made in kind, then compounded, then fastening to the soil and becoming part of that forinsec service which might always be demanded of the land, regardless of the status of him who held it. Evidence illustrating the first stage of this history is not forthcoming. I have not found any charter to match the Burton documents, which throw so much light on cornage in the bishopric. It may indeed be suspected that the transition to the second stage was made more rapidly here than in Durham, where the peculiar conditions of government caused the development of institutions to lag behind

the kingdom, and that in Henry I.'s time men were already regarding cornage simply and solely as a burden or service. An often-quoted text bears this out. When the Cistercian house of Newminster in Northumberland was founded in 1137, it received from Ralph de Merlay certain lands which had come to him as the portion of his wife Juliana, daughter of Cospatric, earl of Northumberland. This grant, originally made by Henry I. and confirmed by Stephen, was, when the lands were conveyed to the convent, again confirmed by Edgar, son of Cospatric,¹ and this last document furnishes a striking text. The lands in question are confirmed to Juliana in frank marriage to be held of Edgar fully and freely "exceptis tribus serviciis, videlicet comunis excersitus in Comitatu, et cornagio, et comune opus castelli in Comitatu". So early, then, cornage was regarded merely as a burden on the land. We may even well believe, in view of some later evidence, that men had forgotten altogether its original character and meaning.

Then from Northumberland we have conclusive evidence that the tenants who paid cornage to the king collected it previously from their villis, and that they continued to do so even when they were granted exemption from cornage payments to the king. In the year 1205 King John granted to the monks of Tynemouth exemption from the cornage which their land owed.² The sum is not stated, but we learn from the *Red Book* that it amounted to 11. 4s.³ Now in a rental of the priory of Tynemouth, compiled about 1378, the amount of cornage collected by the monks from the villis that held of them is recorded,⁴ and a comparison of these figures shows that the monks were taking from their tenants a larger sum than they owed to the king before the exemption. The main point, however, is that the monks who owed cornage to the king as his tenants were collecting it from the villis, their tenants. In the *Red Book of the Exchequer* there is a list of the cornage payments which the crown derived from Northumberland, compiled in A. D. 1264-1265.⁵ This enumerates twenty-two baronies rendering sums varying from eight pence to sixty shillings. That the charge was levied on cer-

¹ *The Priory of Hexham* (edited by J. Raine, Surtees Society No. 44), I., appendix, ix, xiii; *Newminster Chartulary* (edited by J. T. Fowler, Surtees Society No. 66), 268-269.

² *Rotuli Litterarum Clausarum*, edited by T. D. Hardy (Record Commission, 1833), 6 John, Memb. 5, I. 25: also printed in Thomas Tanner, *Notitia Monastica* (Cambridge, 1787), 391, Northumberland, No. XXVII.

³ *Red Book of the Exchequer*, edited by Hall, Rolls Series, II. 713-714.

⁴ *Sixth Report of the Historical MSS. Commission* (London, 1877), appendix, 224. An extract from this document, giving the names of the villis and the amounts they paid, may be found in John Brand, *History and Antiquities of Newcastle-upon-Tyne* (London, 1789), II. 79.

⁵ *Red Book of the Exchequer*, II. 713-714.

tain vill in every barony, not on the barony as a whole, may be inferred partly from the variation in amount, partly from the fact that the list contains also the names of seven vills paying cornage individually. Early in the reign of Edward I. the institution which we are studying came under the notice of the king's judges, who turned to local juries for fuller information, and the results reached in this fashion were indeed surprising.¹ One point is clear: nobody knew what cornage really was, and every one was desirous of getting it classified, of fitting it into the existing order of things. Then in 1279 before the king's justices the *villata* of Alnwick said that Henry de Mulesfen held the vill of Millisfen of the king in socage and rendered annually, *inter alia*, fourteen pence *pro cornagio* and that Henry de Saint Paul held the vill of Bothal on the same terms.² Here difficulties begin, for these cornage payments are represented as incidents of socage tenure; but on turning to another record, we find that both these vills were held of Henry III. in drengage.³ Suspending the question for a moment, let us take one further step in the Northumberland evidence with regard to cornage.

In 1279 the question of cornage and drengage was directly presented to the courts for solution, and from the point of view of the historian a sorry mess they made of it. Thomas de Fenwick, a minor, was heir to the manors of Fenwick, Matfen, and East Matfen. John de Herwythona asked wardship of Thomas's person and land, as his nearest relative. To this, however, Robert de Insula opposed a like demand on the score that Thomas held of him by military service. The jury said that Thomas (the heir's grandfather) had held the manors of Othniel de Insula (the defendant's father) in drengage until this was commuted between them for an annual payment of five pounds and the performance of forinsec service. Asked to specify the content of this service, they said cornage and suit of court. On being further pressed, they gave an amazing definition of cornage, and the whole matter was eventually referred for solution to the king's council.⁴ Two important points should be noticed here: the court was only trying to find some place in the feudal scheme into which this troublesome institution of cornage would fit; the jury, ignorant of what cornage might really be, recognized in it, with suit of court, the characteristic incidents of drengage tenure. Now, in the same year, as it happens, the matter was again before the courts. Robert de Vitton brought an assize of

¹ See below, pages 680-681.

² *Northumberland Assize Rolls* (edited by William Page, Surtees Society No. 88), 335.

³ *Testa de Nevill* (Record Commission, 1807), 389.

⁴ *Placitum Abbreviatio* (Record Commission, 1811), 194b. This case is fully discussed by Professor Maitland in *English Historical Review*, V. 625 ff.

mort d'ancestor against John de Haulton with respect to Great Whittington. John answered that he claimed nothing in the land except the wardship of the heir whose father "*de eo tenuit per forinsecum servitium, scilicet, per cornagium*". Robert rejoined "*quod nullum servitium cornagii in comitatu isto est causa custodiæ*", and cited the Fenwick-Matten case of which we have just spoken. This seems to have been the leading case for Northumberland, and the demandant recovered seisin and damages.¹

Here then are surprising developments. What was originally a villain render has become a real burden and a part accordingly of the forinsec service of certain lands by whomsoever held; now one step further is taken, and the term cornage is used to describe a form of tenure. If we look to the Cumberland records we shall find the expression *tenerè per cornagium* (or *in cornagio*) as commonly used as *tenerè per scutagium* in other counties, and yet we shall see reason to believe that in its origin the Cumberland cornage was not different from that of Durham or Northumberland.

We have reached here then the crux of all the modern discussion of cornage. John Hodgson Hinde, Professor Maitland, Mr. Seeböhm, Mr. Round, and Mr. Crump, as we have seen, believed that cornage was in some sort a payment for the agistment of cattle. They all show good reason for the faith that is in them, but none of them meets or answers the troublesome question raised by those documents that uncompromisingly describe cornage as a mode of tenure. Canon Greenwell,² Mr. Hall,³ and the Rev. James Wilson,⁴ on the other hand, would see in cornage something more than a mere fee for the agistment of cattle, and connect it with an ancient mode of military tenure; and they too can bring documents to support their view.

For my own part, I venture to think that these groups of scholars have been looking at the two sides of the shield, that they have naturally been misled by the confusion which prevailed among the thirteenth-century judges and officials who were called upon to disentangle an intricate question involving an institution that was already obsolete. The solution of the matter may perhaps be found in an examination of the institution of drengage. This was already indicated by Professor Maitland in his article referred to above, but although he there studied both cornage and drengage, he made no attempt to bring the two into any organic or even necessary relation. Now, I do not believe that normally any such relation ex-

¹ *Northumberland Assize Rolls*, 223-224, 237.

² *Boldon Book*, glossary, s. v. cornage, appendix, lv.

³ *Red Book of the Exchequer*, II., preface, ccxxxvi-ccl.

⁴ *Victoria History of Cumberland*, I. 295-335.

isted, but that, to anticipate in a phrase the results of the more detailed examination that is to follow, two ancient and already obsolescent institutions, crushed together under the weight of the feudal superstructure, ended in the thirteenth century by amalgamating.

The tenure known as drengage does not here require so minute an examination as the subject of cornage, partly because it is in itself less intricate and has already been the subject of pretty full treatment at Professor Maitland's hands,¹ and partly because our main purpose is merely to illustrate the possible connection between the two institutions.

This tenure, the peculiarity of which, in the feudal age, was to show attributes at once of knight-service, serjeanty, and villain-tenure, was indeed "older than the lawyer's classifications, older than the Norman Conquest".² Professor Maitland has dwelt at length on the striking similarity between Bishop Oswald's riding-men and the drengs of the twelfth century,³ and has collected much evidence for the post-conquest drengs.⁴ The term dreng seems to have been used before the Conquest to describe a fighting man or warrior,⁵ but what relation it may have borne to the familiar term thegn does not appear. Hinde thought that the two were the same.⁶ Spelman, followed by the editors of Du Cange, suggested a Danish origin, which seems the more probable, as there is a cognate Danish word with an appropriate sense, and as the earliest example of the Anglo-Saxon usage given in Toller-Bosworth is from the year 991.⁷ The main point, however, is that the Anglo-Saxon dreng was by no means a base or agricultural tenant, but a person of condition, and this is illustrated by a story preserved in Simeon of Durham's *Historia Regum*. This is an account of the translation of the body of Bishop Alchmund of Hexham in the year 1032. The event was naturally one of local importance, and it is to be observed that the chief figure in the transaction, the director of the affair, since he was the object of no less than two visions, is described as "a certain dreng (quidam Dregmo)". Simeon lets us see him as a personage in the community "eum omnes vicini sui in magno honore habebant".⁸

¹ *English Historical Review*, V. 625 ff.; *History of English Law*, first edition (1895), I. 258, 356, note; *Domesday Book and Beyond*, 308-309.

² *History of English Law*, *loc. cit.*

³ *Domesday Book and Beyond*, 304-309.

⁴ *English Historical Review*, V. 625 ff.

⁵ Toller-Bosworth, *Anglo-Saxon Dictionary* (Oxford, 1882), s. v. Dreng, citing *Byrhtnolth's Death* (A. D. 991) and, for later usage, *Layamon's Brut* (A. D. 1200-1204).

⁶ Hodgson, *Northumberland*, I., Part I., 253 ff.

⁷ Henry Spelman, *Glossarium Archæologicum* (London, 1664), s. v. Drenches; C. D. Du Cange, *Glossarium* (7 vols., Paris, 1840-1850), s. v. Drench.

⁸ *Symeonis Monachi Opera* (edited by Thomas Arnold, Rolls Series, 1882-1885), II. 47-50. See the editor's note *in loc.*

The drengs of *Domesday Book* have been sufficiently described by Professor Maitland in the essay already cited. But the Durham records illustrate the survival of this class in a region not included in the Great Survey. An English charter of Bishop Ranulf Flambard (A. D. 1099-1128) is addressed to all his thegns and drengs of Islandshire and Norhamshire.¹ Then there is a curious document which, although it has reached us by devious ways and in its present form is certainly post-conquest, may still be cautiously admitted as casting some light on the subject in hand. This is a memorandum that stood at the head of a Durham gospel book that has now perished, recording the "consuetudo et lex sancti patris Cuthberti . . . antiquitus instituta". Before the solemn celebration of the feast of St. Cuthbert in September "omnes Barones, scilicet Teines et Dreinges, aliique probi homines, sub Sancto prædicto terram tenentes" assembled at Durham to renew and confirm the peace of St. Cuthbert.² The point need not be further labored; it is clear enough that up to and at the time of the Conquest the drengs were persons of social consequence.

There is an odd story preserved by Spelman which, although as it stands it can have no value as evidence, yet seems to contain the root of the matter, the fact, namely, that the post-conquest drengs were the descendants of those Englishmen who for one reason or another were not dispossessed by William, but transmitted their lands to their sons on the terms on which they had received them from their fathers. To what extent, if to any, these men were touched by the great homage of 1085 cannot be determined. Spelman drew the tale from a manuscript that came to him from the Sharnburn family in Norfolk, and he seems to have had some misgivings about it himself; "si mihi met ipse non imponam" are his words. A cer-

¹ *Feodarium*, 98, note; also printed in Surtees, *Durham*, I., appendix, cxxv, No. I.

² *Historia Dunelmensis Scriptores Tres* (edited by J. Raine, Surtees Society No. 9), appendix, cccxxx, No. cccxxxii. The gospel book containing this entry is described as an offering of King Athelstane to St. Cuthbert, and was certainly earlier than the Norman Conquest. It passed from Durham into the Cottonian collection and was destroyed, or nearly so, in the fire of Ashburnham House in 1731. See the report of the commissioners appointed to examine the Cottonian manuscripts after the fire, in *Reports from Committees of the House of Commons* (reprinted, London, 1803), Miscellaneous, 1715-1735, I. 471. The manuscript in question was classed as Otho B. IX. The entry cited in the text had been copied by John Rowell into the register of the dean and chapter of Durham, and in 1715 this copy was collated with the original by Mickleton, the Durham antiquary; see Canon Raine's note in *Scriptores Tres*, loc. cit. This is not the place to enter into the *Quellenkritik* of this curious document, but it may be remarked that, whatever the date of the form (and it is manifestly post-conquest), the substance cannot be older than A. D. 991, the year of the translation of the body of St. Cuthbert, the event commemorated by the September feast; see *Acta Sanctorum Bollandiana* (reprinted, Paris, 61 volumes, 1863-1875), Septembris Tomus Secundus, 2; Martii Tomus Tertius, 126.

tain Edwin, with other Norfolk Englishmen who had been dispossessed, represented to the Conqueror that they had never opposed him at any time or in any fashion, and asked to be reinstated. On this William caused the matter to be searched out through all England, and when it appeared that Edwin and his friends had spoken truth, caused them and such others as were in like case to be reinstated, and appointed that ever after they should be called drengs.¹

Now from Cumberland and Westmoreland we get evidence suggesting a pretty considerable survival of pre-conquest tenures beneath the feudal forms which the Normans imposed on those regions. It has been generally assumed that most of the feudal tenures in Cumberland were established by Henry I.; but a recently-discovered document makes this very doubtful. This is an English letter of Gospatric son of Maldred, which shows him in possession of Allerdale between 1072 and the conquest of Cumberland by William in 1092.² Gospatric was succeeded by his son Waldeve, but the Great Inquest of 1212 reports that Allerdale was granted to Waldeve by Henry I. to be held of the king by the service rendering annually 15l. 13s. 4d. for cornage.³ The tenure of Allerdale therefore was pre-conquest, and further we learn from the document just cited that Gospatric had drengs holding of him, for in the opening clause he greets all his dependents, "free and dreng", and it is scarcely probable that the tenure of these dependents was in any wise altered by the establishment of a new relation between their lord and the king. The same generalization will apply to Westmoreland, where the general feudalization seems to have come even later. At the beginning of the thirteenth century King John granted to Robert Vipont the baronies of Appleby and Burgh with the shrievalty (*ballivatium*) and profits of the whole county and the services of all tenants who were not holding of the king in chief, all to be held at the service of four knights.⁴ All troublesome old tenures were thus at one stroke decapitalized, as it were, brought bodily into the feudal scheme without any displacement of the tenants or any essential alteration of their tenure. Thus the Sharnburn story

¹ Spelman, *Glossarium*, s. v. Drenches; Du Cange, *Glossarium*, s. v. Drench. The manuscript in question, written in a sixteenth-century hand, seems now to be in the Ashmolean collection; its spuriousness has long been recognized. See *History of Norfolk* (10 vols., Norwich, 1781 ff.), s. v. Smithdon, IX. 80-82; Francis Blomefield, *Norfolk* (11 vols., London, 1805-1810), X. 350-353; David Hume, *History of England* (edition Oxford, 1826), note H, I. 425; Joseph Nicolson and Richard Burn, *Westmorland and Cumberland* (2 vols., London, 1777), I. 22.

² "An English Letter of Gospatric", edited by James Wilson, *Scottish Historical Review*, October, 1903, 62-69.

³ *Testa de Nevill*, 379 b.

⁴ This charter is printed in *extenso* in Nicolson and Burn, *Westmorland and Cumberland*, I. 267-268.

represents, in a popular and even dramatic form, what actually took place quietly and slowly. Returning to the Durham evidence, we find that in 1130 the keeper of the temporalities accounted for payments made by thegns and drengs between Tyne and Tees.¹

Boldon Book discloses the details of drengage in the twelfth century. The burdens of the tenure at this time may be arranged in three classes, namely, personal services, money payments, and occasional obligations.¹ Under the first of these, week-work and boon-days such as the villains gave were practically universal,² but these are commonly rendered by the dreng's men or his "whole household except the housewife".³ Carting of some kind, commonly of wine, was also very general.⁴ Then there was special work on mills, fish-ponds, and the like.⁵ But the characteristic services of the dreng were taking part in the bishop's hunt, the *magna casa*⁶ (this included the provision of a horse and a dog, which had to be cared for throughout the year), and carrying the bishop's messages; "et vadit in legationibus" is a phrase which occurs again and again.⁷ In many cases the dreng is required to perform *utware* (probably a survival of the ancient obligation of the fyrd) when it is appointed in the bishopric.⁸ Finally under this head, the dreng owed suit at the bishop's court.⁹ Under the second head, money payments, two classes appear, one the render of a fixed sum the purpose of which is not specified,¹⁰ and the other the render of *auxilia*.¹¹ Finally, under the third head, tenure of this sort was subject to a group of very interesting occasional obligations. The first of these is wardship. We have seen it stated in terms that land held in cornage tenure in Northumberland was not subject to wardship, but the generalization was restricted to Northumberland, "nullum servitium cornagii in comitatu isto est causa custodiæ", and the point is made quite clear by an entry in *Boldon Book*. Four bovates of land which Elstanus *drengus* had held in West Auckland are in the bishop's hand "donec filius Elstani sit adultus". The bishop has

¹ *Rot. Pip. 31 Hen. I.*, in *Boldon Book*, appendix, ii.

² *E. g.*, *Boldon Book*, 17, 18, 19-20, 36.

³ *Ibid.*, 18; "tota familia domus, excepta husewyva".

⁴ *Ibid.*, 37.

⁵ *Ibid.*, 38.

⁶ *Ibid.*, 36-38. This occurs so frequently in *Boldon Book* that Mr. Seebohm was led to describe drengage as the hunting tenure, *Village Community*, 71.

⁷ *Boldon Book*, 18-20, 27-38.

⁸ *Ibid.*, 17; *Feodarium*, notes on 129, 132-133, 141; *Newminster Chartulary*, index, s. v. *Utware*. Professor Maitland has discussed the term in *English Historical Review*, V. 625 ff.

⁹ *Boldon Book*, 36-38.

¹⁰ *Ibid.*, 17, 19-20.

¹¹ *Feodarium*, 114, note; cf. *Testa de Nevill*, 752.

given Elstan's wife "xii. acras quietas ad pueros suos alendos". The rest of the land pays thirteen shillings and renders the services which Elstan used to render.¹ This obligation is not necessarily post-conquest; instances of it, it will be remembered, have been discerned in the tenth century.² Then there was the *merchet*,³ heriot,⁴ and *metred* or *metris*. The nature of the first two of these is sufficiently well understood. As for the last, the term must be connected, I think, with the *vacca de metride*, the milch cow which the cornage vills were required to render annually. In the Durham evidence these obligations do not occur in connection with the term drengage, but the nature of the tenure is unmistakable. Take the charter which we have already considered in another relation, by which Prior Laurence (A. D. 1149-1154) conveyed to a certain Roger the land of Pache in Monkton. Roger was to render thirty-two pence annually, two shillings for cornage, for "metreth" "as much as belongs to the land", he was to do certain days of plowing and harrowing, in harvest-time he was to reap four days with two men, for "heriet" he was to pay six oras,⁵ for "merchet" six oras, and he was to acquit the land of as much "utware" as belonged to it.⁶

These cases in Durham are matched by Northumbrian evidence from the next century. In the returns made to the king's demand for an aid in 1235, fourteen and a half vills are recorded as held of the king in chief in drengage, and the incidents of this tenure are also set down. Thus, Thomas de Bodenhale holds Bothal of the king in chief in drengage; he renders annually twenty shillings and truncage at Bamborough Castle, he is tallaged with the king's demesne, and owes fourteen pence cornage, sixteen shillings *merchet*, sixteen shillings heriot. For service there is plowing and harrowing with eight men. Then there are certain miscellaneous payments, some of which have a feudal character, forfeiture and relief, pannage and suit at the king's mill. The tenure of Henry de Millisfen, which follows, is equally explicit, but it shows no further details except the incident of carting grain.⁷

¹ *Boldon Book*, 26; cf. *Registrum Palatinum Dunelmense* (edited by T. D. Hardy, Rolls Series, 1873-1878), III. 62.

² Maitland, *Domesday Book and Beyond*, 310.

³ Pollock and Maitland, *History of English Law* (first edition), I. 354-356; *Year Book*, 15 Edward III. (edited by L. O. Pike, Rolls Series, 1891), introduction, xv-xliii.

⁴ Pollock and Maitland, *op. cit.*, I. 293-295, 297-298.

⁵ The use of this term suggests an ancient and Scandinavian origin; cf. Seebohm, *Tribal Custom in Anglo-Saxon Law* (New York, 1902), 234-237.

⁶ *Feodarium*, 114, note; cf. also notes to 27, 40, 42, 62, 64, 66, 68, 70. For the survival of heriot see the case of a tenant's compounding for his predecessor's best beast in 1368, in *Durham Halmote Rolls*, I. 75.

⁷ *Testa de Nevill*, 389.

The amount of land held on these terms, the size of a normal drengage tenement, is another perplexing point. From an entry in *Boldon Book*,¹ to the effect that Robert Fitz Meldred held one carucate at Whessoe at the service of one-fourth part of a drengage, one is tempted to generalize that the normal drengage contained four carucates. But the mischance of those who have attempted to determine the content of the knight's fee warns one, and on turning to another part of the same record we read that Elstan the dreng held four bovates at West Auckland.² In truth there was no normal drengage holding; on the one hand we may read how at Escombe Elzibrid held one-half a bovat in drengage and paid nine pence cornage,³ and on the other how William holds Oxenhall and does the service of the fourth part of a drengage.⁴ Or, better still, the evidence of a later record which states that Ralf de Binchester holds Binchester and Hunwick "per cartam Domini episcopi per servitium forinsecum, quondam tenentur in dryngagio per librum de Boldon".⁵ A drengage tenement, then, might be an allotment of land in a vill or the whole vill itself.

From this evidence we have been able to form a consistent notion of the obligations and incidents of drengage tenure. From the feudal point of view it must, indeed, have been perplexing enough, showing, as it did, attributes of military, socage, and unfree tenure. If we step backward, however, into a remoter age, the relation becomes natural and consistent.

As Professor Maitland has pointed out, this kind of relation existed and was understood in the pre-conquest period. Tidings of the same sort of thing come to us from Frankland. In the eighth and ninth centuries freemen were holding beneficia for which they performed not only the riding-service which Bishop Oswald required, but agricultural labor as well, carting, mowing, and the like, with their men, and rendered money payments. These holdings, moreover, were sometimes an entire vill, sometimes an allotment of land in a vill, but in the latter case the tenant performed his services independently of the dependent community, not in coöperation with it, although his land in the open field might be intermixed with theirs.⁶ I do not, of course, intend to identify pre-conquest dreng-

¹ *Boldon Book*, 20.

² *Ibid.*, 26.

³ *Ibid.*, 25.

⁴ *Ibid.*, 17; cf. *ibid.*, 36, 42, and *Feodarium*, 140, note.

⁵ *Hatfield's Survey*, 34; cf. the case of Whitworth, which Thomas de Acley was holding at the quarter of a knight's fee by the charter of Bishop Pudsey, who had exchanged Thomas's drengage for military service, *Boldon Book*, 27, and appendix, xliii.

⁶ See an instructive presentation of this matter in G. Seeliger, *Die soziale und politische Bedeutung der Grundherrschaft im früheren Mittelalter* (Leipzig, 1903), 27-44.

age with the Frankish *beneficium*, but merely to suggest that in the eighth, ninth, and tenth centuries relations of a strikingly similar nature existed between the owners and occupiers of land on the continent and in England.

We may now ask ourselves, What was the relation between cornage and drengage? Were not the two terms confused, and did they not in the thirteenth century come to be used interchangeably without any very clear understanding of either of them? We have seen that some such confusion existed in the thirteenth century. The Great Whittington case, where there was tenure *per cornagium*, was decided on the precedent of the Matfen-Fenwick case. Now the tenure of these manors, as we have seen, was converted drengage, retaining the forinsec service, which consisted of cornage and suit of court. The alternative phrase used to describe the tenure of Great Whittington was forinsec service. The natural inference is that Great Whittington was a converted drengage, still charged with forinsec service, *i. e.* cornage dues and probably suit of court, and that for want of a more accurate term men had come to describe this odd relation as tenure *per cornagium*.

But there is other evidence pointing in the same direction. It has been noted that the list of Northumbrian cornages in the *Red Book* enumerates twenty-two baronies and seven villis, recording the amount of cornage paid by each. Now if we turn to the pipe-roll for 3 Henry II.,¹ we shall find a list of drengage tenements at that time in the king's hand which corresponds point for point with the cornage-paying villis of the *Red Book*. The villis that were held in drengage in Henry II.'s reign are chargeable with cornage in the reign of his grandson. In regard to two of the villis included in this list we have some further information. Mousen (Millisfen) and Bothal, as we have seen, were officially described in the middle of the thirteenth century as being held of the king in socage and paying cornage and also as being held of the king in drengage with all the incidents of normal drengage tenure and the obligation of cornage. Moreover all the incidents of drengage are enumerated in the presentation that describes the tenure as socage.

Now in examining the *Boldon Book* evidence with regard to cornage we met with a difficulty in the shape of cornage-paying freemen who held the whole or part of certain villis. This we endeavored to surmount by the suggestion that these tenants were simply placed between the bishop and the cornage-paying land from Waitz, Roth, and Brunner in their treatment of the *beneficium* do not develop the aspect of the question which bears on our subject and which Professor Seeliger has well emphasized.

¹Hodgson, *Northumberland*, I. 257.

which they collected the due and made their render to the bishop. Although the case of the prior of Tynemouth, who collected cornage from his vills and rendered a proportion of the sum to the king, warns us that this arrangement does not involve any particular form of tenure, there is still room for the inference that in the cases of Matfen, Great Whittington, Fenwick, Mousen, and Bothal just such an arrangement as this had been made. The process would then be on this wise: A dreng receives a grant of a vill which owes cornage. To the regular incidents of his drengage, then, he will be required to add the duty of collecting the cornage and making a render to the king. Whether or not in theory he must render the full amount that he has collected does not appear. In practice, as we may infer from the case of the prior of Tynemouth, he would probably retain a proportion of it. Then with altered economic and social conditions drengage became meaningless, the dreng was classed with other freemen in spite of the unfree obligations for which he was paying a money composition, and his tenure was regarded as an odd or troublesome form of socage or serjeanty. Or, in many cases, the whole of the drengage disappeared by mutual consent. But where the dreng had owed cornage, that, being a real burden, remained as part of the forinsec service, and could easily be regarded by an age incurious about the history of institutions as the determining feature of an unusual and troublesome tenure. And so men would come to describe a converted drengage as a tenure *per cornagium*.

It need scarcely be remarked that there was no necessary connection between drengage and cornage. For it seems that any land might be held in drengage, but in Durham certainly cornage was levied only on vills having pasture. It should be remembered that this adventitious connection was taking place under the pressure of the feudal superstructure. An example will illustrate this. The serjeanty of Matfen was granted by King John in 1200 to his servant Sawalus and in 1212 to Philip de Ulecote.¹ In 1250 Othniel de Insula held Fenwick and Matfen of Hugh de Bolebec at the service of nine knights and a half.² But Henry de Fenwick held the manors of Fenwick and Matfen of Othniel in drengage, which Othniel by his charter afterward remitted against an annual payment of one hundred shillings and the discharge of forinsec service.³

In Northumberland the normalizing influence of a strong central government seems to have swept away drengage and cornage by the

¹ *Rotuli Chartarum* (edited by T. D. Hardy, Record Commission, 1837), I. 76, 190.

² See the *inquest post mortem* in respect to Othniel's land, printed *in extenso* in Hodgson, *Northumberland*, I., Part II., 168.

³ *Placitorum Abbreviatio*, 194b.

fourteenth century. In Durham, however, with its virtual home rule, they were not forgotten, although they had become, in effect, mere rent charges on land held in various ways.

It now remains to deal with the evidence from Cumberland and Westmoreland, for it is upon these documents that the writers who regard cornage as a tenure base their conclusions. The material for this discussion has, as far as Cumberland is concerned, been brought together by Mr. Wilson after a careful search through inedited as well as printed documents, and appears in his chapter in the first volume on Cumberland in the *Victoria County Histories*. It will suffice therefore to give a summary or provisional statement of the evidence instead of the more minute exposition that was necessary in the case of Durham and Northumberland.

In the twelfth century cornage occurs frequently in Cumberland, and an important document from the middle of the century illustrates the nature of the institution. William, earl of Albemarle, granted to the monks of St. Bees "vi. vaccas in perpetuum elemosinam reddendas anno omni quo meum Noutegeld debuerit fieri [in Coupland]".¹ Then in the pipe-roll of 1130 the sum of 85l. 8s. 8d. is accounted for, for the *noutegeld* of Cumberland, and when the regular series begins it becomes apparent that this amount scarcely varied from year to year.² If we read these documents in the light of the evidence we have already examined, particularly if we compare the St. Bees charter with the Burton documents quoted above, we may fairly infer that at this period the cornage of Cumberland did not differ from that of Durham and Northumberland, that it was a render in kind from the vills which turned cattle upon the lord's pasture, and a render which had already become a fixed burden collected by the lords (in kind still, as it would seem) and paid to the king in the form of a money composition.³ The inference seems authorized, although the later evidence suggests perhaps that cornage was more extensively paid here than in Durham, where, as we were able to show from *Boldon Book*, it was not by any means collected from all the vills of the bishopric.

Henry I. granted to Hildred of Carlisle "terram que fuit Gamel filii Bern et terram illam que fuit Glassam filii Brictrici Drengnorum meorum reddendo inde mihi per annum de servicio gablum animalium sicut alii liberi homines . . . reddunt qui de me tenent in

¹ The document is printed *in extenso* in *Victoria History of Cumberland* (hereafter cited *Cumberland, V. C. H.*), I. 316, note.

² *Ibid.*, 314-315.

³ There is a suggestion of a survival of a like render in kind as late as 1231, in a document printed in the *Guisbrough Chartulary* (edited by W. Brown, Surtees Society Nos. 86 and 89), II. 320.

capite in Cumberlanda. Et facient inde aliud servitium tale quale alii liberi homines mihi de terris suis faciunt.”¹ Hildred receives the land of a dreng to be held of the king in chief; he is obliged to pay cornage and to perform other services. Here it is stated in terms that all the tenants in chief paid cornage to the king, but it by no means follows that all the land held in chief, *i. e.* all of the county, paid cornage to the king’s tenants. In view of what we know from Durham, it is quite permissible to suppose that every tenant in chief was required to collect and turn over to the king the cornage from the villis in his holding that owed that obligation. The matter then becomes an arrangement of convenience for the financial administration of the county. It should be remembered also that it was not until Henry I.’s time that Cumberland was effectively incorporated into the kingdom, and such a measure would fit well with the character and methods of that king. Then there is evidence going to show specifically that this burden was already attached to the soil and reckoned as part of the forinsec service, the obligation which the land owed the king regardless of what tenurial relations might have been established in connection with it. About 1162 Gospatric son of Orm granted certain lands to the monks of Holmcultram in such wise “quod faciemus pro Monachis omne forense et terrenum servitium, quodcumque ad Dominum Regem pertinet, scilicet, de Noutegeld et Endemot”,² etc. So far, then, there is no difficulty; in Cumberland, as in Durham and Northumberland, cornage had become a real burden, a part of the forinsec service. It remains to see how it developed.

If we turn to the thirteenth-century evidence, we shall hear a great deal of cornage tenure. In the *Red Book* there is a list (A. D. 1210-1212) of those “qui tenent per servitium militare et per servitium cornagii in hoc comitatu”.³ But the entries here confirm our hypothesis with regard to Cumberland cornages in the twelfth century. “Nicholaus de Stuteville, lvi s. de cornagio de ii villis in dominico et iii in homagiis”, and so on down the list; obviously, the tenants in chief are collecting cornage from their villis, whether in demesne or service, and rendering part or all of it to the king.⁴

Two points, however, are to be noticed. First, these tenants in chief are not holding by military service. The distinction is already made in the rubric quoted above, and the first three entries on the

¹ *Placitorum Abbreviatio*, 67a.

² *Cumberland*, V. C. H., I. 321. The charter is also printed in Sir William Dugdale, *Monasticon Anglicanum* (6 vols., London, 1846), V. 609.

³ *Red Book*, II. 493.

⁴ In 1201 the men of Penred fined with the king that they might hold their vill at the ancient farm plus the render of cornage and one hundred shillings. *Rot. Pip.* 3 John, in *Cumberland*, V. C. H., I. 388.

list are of men holding by two, one, and one-half fees respectively, and not paying cornage. The first of these is Robert de Vallibus, who has sixteen villis; ten in service and six in demesne, for which he owes the king the service of two knights (*ii feoda*); and we know that in 1158 Henry II. had granted the barony of Gillesland to Hubert de Vallibus as a fee of two knights "*quietas ab omni Neutegeldo*".¹ Second, there is a note appended to the list in the *Red Book* to the effect that "*omnes supradicti tenentes per cornagium ibunt ad præceptum Regis in exercitu Scocyæ; in eundo, in antegarda; et in redeundo, in retrogarda*".² The same information, of course, is recorded in the *Testa de Nevill*.³ Now, it must be borne in mind that all this was elicited by the Great Inquest of 14 John undertaken to increase the revenues by reviving "rights of the Crown alleged to have lapsed".⁴ The royal officers were intent rather on classifying tenures and determining their obligations than on defining them. Then from the law-courts we begin to hear of tenure in cornage. There is in 1238 the case of Odoard of Wigton, who was a tenant by cornage; he was subject to wardship and he held his barony as a grand serjeanty at the service of attending the king's army through Cumberland.⁵ Then in 1223 William de Fortibus, earl of Albemarle, tried to defeat the king's right of wardship on the ground that he held of the crown in cornage, not military service, but did not succeed.⁶

Now all this does not differ essentially from the conditions that we have examined in Northumberland. Here is a form of tenure that will not fit into any of the existing categories. One of its incidents is cornage. It is important to the crown for financial reasons that the obligations of this tenure should be clearly understood; it is important to the court that, rightly or wrongly, the tenure should be defined, in order that they may know how to deal with it. The king and the judge alike require a name for the tenure, and what more natural than that they should call it after its most unusual and striking incident, particularly when the original significance of cornage had been forgotten? On this hypothesis *tenere per cornagium* is to hold by that peculiar tenure which, while partaking of the nature of military service, serjeanty, and socage, is still none of these, but which has this feature that all the others lack, the payment of cornage.

¹ See the charter in *ibid.*, 320.

² *Red Book*, II., 494.

³ *Testa de Nevill*, 379-380.

⁴ Round, *Commune of London*, 274.

⁵ *Bracton's Note Book*, ed. Maitland, No. 1270.

⁶ Joseph Bain, *Calendar of Documents Relating to Scotland* (4 vols., Edinburgh 1881-1888), I. No. 864.

In the case of Northumberland we saw reason to suppose that the tenure there involved was really drengage or a form of drengage which, having lost its original significance and name, had got itself confused with cornage and taken its name. There is not material to warrant such a hypothesis in the case of Cumberland, and the political history of the region would make one expect a somewhat different development from that which occurred in Northumberland, for it looks as though there had been a deliberate organization of the country by Henry I., a kind of artificial arrangement of tenures. The main point, however, is, I think, clear enough; cornage only lent its name to tenure of which it was an incident. There is enough evidence from Westmoreland to render the same conclusion very probable for that county as well. In the twelfth century, indeed, Westmoreland had scarcely yet attained the integrity of a county, and was commonly treated as an appendage of Cumberland.¹

The evidence of the pipe-rolls is interesting in this connection. We find that the sheriff was accounting in 1178 for a fixed sum for cornage "lvi xixs iiid de Noutegeld quolibet anno reddendo".² It is possible that this was a composition, or that it was part of the *firma comitatus*. From this time until the end of the reign cornage does not reappear in the pipe-rolls for Westmoreland. For five years there is no account (26-28, 33-34 Henry II.), and in the accounts of the other four cornage is not mentioned, and this is true of the first year of Richard I. In the second year of that king, however, there was a new assessment of the ferm by a jury of twelve knights, and this ferm with *noutegeld* was accounted for at the rate of 117l. 6s. per annum. This rate continued until the seventh year, when we get an entry which throws light on the manner in which the cornage was raised: "Milites et libere tenentes in Westmoreland qui debent cornagium reddunt compotum de xx s pro habendo respectu [*sic*] de auxilio quod exigitur ab eis", etc. Taken in connection with what has gone before, this suggests irresistibly that the free tenants were raising cornage from their tenants. But this is not all. In the first year of Richard I., Gilbert son of Roger son of Reinfred obtained a charter from the king granting him "quietantiam, per totam terram suam de Westmerland et de Kendale, de neutegeld, scilicet de 14l. 16s. 3d., quos ipse Gilbertus reddere solebat per annum pro neutegeld de præfata terra." To this was added immunity from shires, wapentakes, tithings, and aids

¹ See the authorities cited by Ramsay, *Foundations of England* (London, 1898), II. 346-347, and *Angevin Empire*, 12.

² The entries concerning Westmoreland from 23 Henry II. to 13 John are printed in the collection of *Pipe Rolls for the Counties of Cumberland, Westmorland, and Durham* published by the Society of Antiquaries of Newcastle-upon-Tyne in 1847.

of sheriffs and other officers. In return Gilbert owed the king the service of one knight "pro prædicto neutegeldo".¹ In 1200 Gilbert paid King John one hundred pounds for reissuing and confirming this same charter. Now the transaction here recorded is in substance the transmutation of some unspecified form of free tenure into tenure by knight-service. That cornage was only an incident of the earlier form of tenure is evident from the fact that the beneficiary is relieved from other obligations as well.² In what manner cornage might be an incident of a free tenure has been shown in dealing with the Northumbrian drengages.

Here, however, an obstacle presents itself which I must confess I am unable to surmount. In Northumberland, as I argued, cornage attached itself and gave its name to a modified form of drengage, but that was not the case in Cumberland and Westmoreland. The tenure to which cornage gave its name, the tenure of which one of the incidents was to bear the rear and van of the army against Scotland, was not drengage even in a modified form; for when the knights and free tenants who owed cornage were required to give an aid, the drengs were at the same time tallaged, and throughout Cumberland and Westmoreland documents the drengs seem to have been kept separate from those who were later called cornage tenants. Grave as this difficulty is, it yet does not, as I think, affect the main contention, namely, that cornage was never a form of tenure, but an incident which gave its name to a tenure. Its origin in Cumberland is clear enough, and in view of the relation of Cumberland and Westmoreland a like origin in Westmoreland may safely be assumed. Finally it must be shown that here, as in the other northern counties, the twelfth-century documents which still knew cornage as a render in kind, a seigniorial due, are silent about cornage tenure. This contrast is illustrated for Westmoreland by the pipe-rolls which we have been examining.

In the Westmoreland pipe-roll for the third year of John there is no mention of cornage; perhaps it had been incorporated in the ferm, but there is an entry of considerable importance: "Adam de Kierkebei debet xx s ne transfretet qui tenet quatuor acras terræ in Kierkebi in cornagio". This shows the appearance early in the thirteenth century of tenure in cornage. Then the next year Gilbert again fined with the king in forty pounds for having full seisin of his brother William's land, of which he was seised on the day of his death and which he held of the king in cornage.

¹ Printed *in extenso* in Nicolson and Burn, *History of Westmorland and Cumberland*, I. 31-32; *Rotuli Chartarum*, I. 50.

² This appears more clearly from a comparison of the texts of the two charters.

Dark and obscure as this still leaves the subject, one point may be regarded as definitely won: cornage existed in Westmoreland before men spoke or thought of tenure by cornage. Finally it should be noticed that the *Testa de Nevill*, which has so much to say about cornage in Cumberland, is silent on the subject in regard to Westmoreland. The collectors account for certain sums raised on the baronies of Kendal and Westmoreland and then for similar sums on the tenants of the barony of Kendal.¹

The present study may tend toward putting the subject of cornage back into darkness and obscurity. But the writer hopes that it has helped to rescue, or to reestablish one position, namely, that cornage by its origin and nature was a seigniorial due and not in any sense a mode of tenure. The ancient and obscure tenures which came to be described as cornage need further and far better study than it has been possible to give them here.

GAILLARD THOMAS LAPSLEY.

¹ *Testa de Nevill*, 412.

REGINALD POLE AND THOMAS CROMWELL:
AN EXAMINATION OF THE APOLOGIA AD CAROLUM
QUINTUM

THOMAS CROMWELL, beginning life as a merchant's clerk without money or influence, finally rose to the highest authority ever wielded by an English subject. The portraits of this remarkable man presented by historians have been most influenced by accounts of him left by two of his contemporaries: John Foxe put him into the *Book of Martyrs* as one who, having greatly served "the Gospel", died by the machinations of the enemies of truth. Reginald Pole, cardinal and archbishop of Canterbury, denounced him as a false counselor who helped the descent of a once innocent and pious king into tyranny, crime, and irreligion by flattering evil passions for his own gain.

The first of these judgments upon Cromwell became prevalent in England during the lifetime of his grandson and continued dominant for many generations. But the image of the martyr suggested by Foxe has been to a great extent replaced by the picture of an unscrupulous adventurer, loving chiefly the profits of power, the English disciple of Machiavelli, flattering the ideals of his age while he sneered at them, cruel, treacherous, and, even when he sought great ends, pursuing them by means baser than those generally used by his contemporaries. The traits of which this latter image are composed have been drawn from different sources, and the image therefore varies according to the emphasis which the writer may have chosen to lay upon this or that evil feature of the character of the earl of Essex. But about all these images of the unscrupulous adventurer type there is the same sinister atmosphere, and one who has read the account of Reginald Pole easily recognizes that the presence of that sinister atmosphere, throwing Cromwell into relief as the "arch knave" of his time, is due to its influence. This is the first record of a critical examination of this often-quoted account of Cromwell, and it gives the writer's reasons for concluding that Pole's sketch of Cromwell's character and motives is biased, improbable, and inaccurate.¹

Reginald Pole was of the blood royal, tracing descent from the

¹To save space in the REVIEW many foot-notes to this article have been suppressed or condensed. It will be republished in full form.

duke of Clarence and from Warwick the kingmaker. He was sent to Oxford by royal bounty and at twenty-one went abroad to study with a royal pension of 100*l.*, equal in modern value to some \$5,000 or \$6,000. In addition he enjoyed the income of three ecclesiastical benefices which had been presented to him. He stayed five years abroad as a student and gained the friendship of some of the most distinguished scholars of the day. On his return to England he was one of the very few English noblemen (he had entered Magdalen College as a nobleman) who might justly be called highly educated. When Henry VIII. wanted to repudiate his wife, Pole, who had again gone abroad to study in Paris and still received his large pension as "king's scholar", was employed to collect opinions from the doctors of the university in favor of the invalidity of marriage to a brother's widow. Having successfully completed this task, which he so hated that he delegated its details to another, he returned to England by royal order in July, 1530, and shortly after was offered the archbishopric of York, rendered vacant by the death of Wolsey. Knowing that if he accepted it he must approve the repudiation of Catherine, Pole manfully refused, had a stormy interview with the king, and in 1532 obtained permission to go abroad. His pension was continued and he received another ecclesiastical benefice.

Two years after Pole left England, a demand came to him from the king that he should write his opinion on two points: Is marriage with a brother's widow permissible? Is the supremacy of the pope instituted by God? Pole's answer to these questions grew into a treatise entitled *In Defense of the Unity of the Church (Pro Ecclesiasticæ Unitatis Defensione)*. It consists of four books and expresses in places great affection for Henry and the grief Pole feels in being obliged to accuse him. The first book attacks the new royal title of supreme head of the church in England, and threatens Henry with the divine vengeance for the death of More and Fisher. The second defends the supreme authority of the pope, especially against the treatise of Sampson, which had been sent to him by the king. The third book exhorts Henry to prepare his mind to receive these arguments by laying aside his pride, and then proceeds in an ever-rising storm of invective to denounce his sins. Pole recites the facts in regard to Anne Boleyn and shows the injustice to Catherine, calls the king a robber and persecutor of the church, charges him with having wasted in senseless extravagances more taxes than his predecessors had collected in five hundred years, calls him guilty of an infamous incest, applies the strongest possible epithets to Anne Boleyn, and asks Henry if he thinks her daughter will be accepted as queen by the aristocratic families of England. He denounces

Henry for having slaughtered his nobles on slight pretenses and filled his court with wretched creatures. He calls up against him the blood of More, Fisher, and the Carthusian martyrs, saying that Nero and Domitian had not killed such men. He stigmatizes him as worse than the Tunisian pirates. In an apostrophe to Charles V. Pole begs him to defer the Turkish war in order to attack this new enemy worse than the Turk; for schism comes from the same source as paganism. Indeed this English Turkish seed has produced worse results than are to be seen among the real Turks. The real Turks tolerate the true religion, but this king defends his false religion with the sword. Therefore let the orthodox head of the Christian republic draw the sword against him. And, pointing out that the English people have before driven kings from the throne, Pole calls upon England to renew her ancient spirit, looking to the emperor for aid. Henry is a sacrilegious perjurer, who has broken his oaths and overthrown the foundations of his kingdom—justice, clemency, liberality. He has squandered her treasures on unworthy favorites and despoiled every condition of men. He has made sport of his nobility, plundered his clergy, never loved his people. He might be glad to have upon his tomb that epitaph of Sardanapalus which Aristotle said was fitter for a bull than for a man, that no room might be left for one not less true but more shameful; if, indeed, he might hope for any tomb, and not, in the words of Isaiah, be cast out from his sepulcher as a useless trunk, as a putrid corpse have no fellowship with his dead forefathers. His shame and ignominy are known to every one, and all powers sacred and secular are now leagued to cut off so pernicious a member from the body of Christendom. Whither can he flee for refuge? His riches stolen from the church will not help him. No tyrant had perished from poverty. Neither will the many adherents who now support him save him; Richard III. had been killed by his father in spite of a great army. Henry has but one refuge from unexampled dangers—penitence. And in the fourth book, asking pardon for his harsh words and “struggling with love and pity”, Pole exhorts the king to penitence; that is, to repent of his sins, return to the church, and ask for absolution, and “in the words of the prophet your iniquity will not be your ruin”.¹

Pole came to manhood at the crisis of a great conflict between two ideals for the European world. On the one hand there was the medieval ideal of Christendom as an organism with a visible head

¹ Pole's description of his own book, in *Epistolarum Reginaldi Poli S. R. E. Cardinalis et aliorum ad ipsum Collectio*, Brescia, 1744-1757, 5 volumes, I. 74. Pole's characterization of the third book is expanded here by illustrative instances drawn from the book itself. Pole says it is written “acerbe et vehementer”.

whose just sentence anticipated the sentence of the great day of judgment, made the rebel against divine commandment on whom it fell an outlaw in this world, and sent him to hell after death. On the other hand there was the forming ideal of Christendom as a series of distinct national institutions, each containing a divinely-constituted seat of authority that rightly rejected all outside interference in its own affairs, whose national church admitted no foreign authority to damn its apostate members, whose courts acknowledged no just power in any foreign tribunal to judge concerning the honor, the property, or the life of its citizens. These two ideals were to engage four generations in wars. The wars were complicated by theological opinions and religious beliefs, race hatred and class feeling, dynastic greed and personal ambition, but behind them all from the battle of Mühlberg to the peace of Westphalia there lay this central question, whether Christendom was or was not divinely constituted as an organic unity possessing somewhere, either in pope or council, or in both, a common, visible, and ultimate authority to define truth finally and judge righteousness for every nation and every man. The trumpet-call for that fight had come to Pole. Asked to say whether in the last analysis the supreme authority over England in questions involving a moral issue was at Rome or in London, taste, reason, and conscience led him to stand by the old ideal. He threw down the glove to Henry as a tyrant who had betrayed England because in withdrawing from the papal obedience he had broken the unity of Christendom, the God-given guaranty of saving truth and social order.

It is plain from Pole's letters at the time he was writing this treatise¹ that he thought himself to be doing some great service to the cause of the church. Just what service he hoped to do his cause by interpolating into his answer to Henry's questions a diatribe in a tone of such fierce invective that some of his intimate friends, ardent churchmen, advised the correction of the manuscript does not appear to a modern reader at first sight. A search through his writings makes it plain that Pole hoped, now that the passion for Anne Boleyn which had driven Henry into his impiety was cooled, to frighten him back to the path of righteousness by the threat of insurrection backed by a crusade against England.² It seems strange that Pole could have thought it so easy to frighten a Tudor, or could have imagined that the insensate pride backed by a morbid conscience that ruled Henry's character would submit to

¹ *Ibid.*, I. 427, 429, 438.

² *Ibid.*, I. 475; V. 155; also James Gairdner, *Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII.*, XII., Part I., No. 429; Part II., Nos. 107, 552.

private contumely or bow to public disgrace without a furious struggle, but it is quite plain that he did cherish this hope and sent his book to Henry in manuscript with this idea.¹ There was of course danger that the book might be used in producing the sort of civil war appealing to foreign aid which afterward desolated France and Germany. And Henry's effort to destroy the manuscript strengthened Pole's resolve to keep it hanging over his head like a sword of Damocles. But in the year 1539, during his absence from Rome, it was printed without his consent by friends to whom he had confided it and "not without the command of the pope".² His writings show that at several different times in his life he contemplated publishing it. He wrote three prefaces, all printed for the first time two hundred years after his death. The first one is entitled by the editor *Apologia Reginaldi Poli ad Carolum V. Cæsarem super quatuor Libris a se scriptis de Unitate Ecclesiæ*.³ The second preface is entitled *Proemium alterum ejusdem libri a Reginaldo Polo transmissi ad Regem Scotiæ*. Internal evidence shows that it was written not long after the fall of Cromwell, who was arrested June 10, 1540. The third, which breaks off abruptly, is entitled *Epistola ad Edwardum VI. Angliæ Regem de opere adversus Henricum patrem*, etc. This must have been written 1547-1553. In it Pole says he had heard that the Protestants intended to publish his treatise in defense of the unity of the church, and thought it better to do so himself. Schellhorn conjectures that he abandoned this intention on account of the death of Edward VI. and the accession of Mary.

In this third preface Pole says that he had been very unwilling to have the book circulated, but some copies had been taken without his knowledge from the places where they were stored and had come into the hands of many. The rarity of the first edition suggests the diligence of the author in preventing general circulation. The second edition was issued in 1555 by the Protestant apologist Vergerio, who said that Pole had concealed his book and given copies only to cardinals, popes, kings, bishops, princes. Pole's anxiety to prevent the general circulation of the book appears in his answer

¹ *Poli Epistole*, V. 61.

² *Epistola ad Edwardum VI.*, Section xlviii, *ibid.*, IV.

³ There are only four editions of the *Pro Ecclesiastica Unitatis Defensione*: (1) Rome, without date. (2) Strassburg, 1555. (3) Ingolstadt, 1587. (4) Bibliotheca Maxima Pontificia, Tome 18, 1698. Bibliographical manuals and catalogues assign the first to 1536 (*British Museum Catalogue*, 1535?; Brunel, *circa* 1536; Grasse, *vers* 1536; etc.). This assignment overlooks Pole's own account in the *Epistola ad Edwardum VI.*, cited above, which fixes the date as 1539. This date also agrees with the preface of the Strassburg edition, which says (1555), "This book has been published as I suppose about fifteen years". Schellhorn pointed out in 1737 in his *Amoenitates Historiæ Ecclesiasticæ et Literariæ*, Leipzig and Frankfort, 2 vols., 1737-1738, I., some of the reasons for assuming this date.

to the letter of Damianus a Goes (October 12, 1540),¹ who had heard of a printed copy and asked for one. Pole replies, "Up to this time I have published nothing, and how my writings have come into those hands where you say they have come I do not know. When I do publish I will satisfy your desire." Now the *Apologia* shows that at the end of 1538 or the beginning of 1539 Pole did intend to publish his book and send it to the emperor.² And in the *Proemium ad Regem Scotiæ* he says, just about the time he refused to send Damianus a Goes a copy, that he intends to send one to the king of Scotland,³ and publish it under his auspices. But, as copies of these prefaces do not seem to have been found in Spain or Scotland,⁴ it is to be assumed that Pole changed his mind.

He changed his mind so completely that in the last of these three prefaces, the letter to Edward VI., he asserted that though he had tried to force himself to yield to the arguments of his friends, he had never been willing to publish his book. The reasons for this mental struggle, which we perceive when we thus compare the contemporary record of his feelings made by his own hand with his subsequent memories, are not far to seek. Any one who will read all Pole's writings and set them against the background of the age he lived in can scarcely fail to see them.

The correspondence of Pole was printed in the middle of the eighteenth century, long after the close of the epoch of wars about religion. At that time a cardinal who fomented insurrection against a legitimate prince, or demanded war to drive him from his throne for religious causes, would have been regarded with disfavor by most orthodox churchmen and, under many popes, would have been reproved in Rome itself. The editor therefore shows in his notes a strong desire to clear Pole from the imputation of having been a rebel, even in the sense of those enemies of the church who had condemned him for treason. The attempt is a vain one, as is admitted by Pole's best biographer, Father Zimmerman,⁵ who points out that Pole believed the English people had the right to depose a king but not a bishop or a pope. But this anxiety of his editor, writing in a later age when all rebellion was apt to be regarded as sin, marks only the ultimate triumph of a sentiment which, even in Pole's day, exercised a strong influence on human action—the senti-

¹ *Poli Epistolæ*, III. 37.

² *Apologia*, Section vi, "omnia tunc scripta quæ nunc edo", *ibid.*, I.

³ *Ibid.*, I. 175, "In lucem exire volo".

⁴ The *Apologia* was printed by Quirinii from a manuscript found in Germany: *Præfatio ad Monumenta Preliminaria*, *ibid.*, I.

⁵ Athanasius Zimmerman, S. J., *Kardinal Pole, sein Leben und seine Schriften*, Regensburg, 1893.

ment of patriotism, leading men to support, against every interference from men speaking other tongues, the action of the national government whose language they spoke. That sentiment, though not yet entirely prevalent anywhere, was perhaps stronger in England in the middle of the sixteenth century than in any other part of the European world, with the possible exception of Spain. Pole himself had formed his opinions and made his chief friendships among Italians, where the patriotic sentiment was and remained so weak that the destinies of Italy were swayed down to our own generation by foreign force. But there are plain indications that he had conquered it in his own mind only with pain, and we may well believe his assertion that he wrote with bitter tears¹ the book that made him an exile and a public enemy to England, in obedience to a conscience which bade him stand by the highest authority, established by God at Rome. But perhaps the struggle in his own mind suggested to him the strength of the sentiment he was opposing. Therefore, while he hoped at times for insurrection backed by the sword of France, or of Spain, or of both,² he shrank from appearing before the world as a denouncer of war. That would be to draw down upon himself and the church a renewal of the old reproach, most sharply expressed in Zwingli's epigram, that cardinals were appropriately clothed in red; their robes were stained with the blood they had caused to be shed. In saying this there is no intention of charging Pole with any extraordinary craftiness unexampled among his contemporaries. Pole, devoted to the institution he loved more than anything else in the world, was not superior to the temptations to which many men on either side of that great controversy whose issue was a war for life and death yielded, the temptation to be—sometimes without being quite conscious of it—less than frank if the cause might be helped by guile. Martin Luther, in the case of the bigamous marriage of the landgrave of Hesse, was willing to consent secretly to what he would not publicly approve, and Pole gave and shared secret counsels expressing hopes and intentions which he would not avow. This conclusion is derived from many instances in Pole's writings, even stronger in the sum than in any instance. It comes perhaps to its most acute point in these particular passages.

On February 16, 1537, he wrote to the royal council of England:³ "You say the pope is the king's enemy, to which I reply thus: I

¹ *Epistola ad Edwardum VI.*, Section xi, *Poli Epistola*, IV.

² This is contrary to the opinion of several authoritative writers, but the references given below prove it beyond doubt.

³ *Poli Epistola*, I. 185. Everything included in Pole's *Epistles* is either Latin or Italian. The passages are Englished by the writer.

dare to affirm of this pope, whose acts I see, whose talk I often hear, that I have never heard of a single act or word of his, either concerning the king or concerning those who are in his kingdom, which did not show the affection of a father, and that indeed the most indulgent father toward his son or the affection of a most loving pastor toward his flock." This solemn asseveration was written on the eve¹ of Pole's departure on a papal mission whose object, as the pope told the Spanish ambassador, who repeated it to his master, was to aid the northern insurrection in England.² Pole must of course have known of this object in order to carry it out. That he did know of it is shown positively by his letters to the pope on starting from Rome and on returning.³

Now the motives that caused Pole to deny plans for promoting insurrection of which he was an instrument would also be active in leading him after hesitation to suppress his book. For that book, as has already been said, he wrote three prefaces. The first, entitled the *Apologia*, contains the famous picture of Thomas Cromwell. In style and form it is not a preface but an oration about two and a half times as long as this article, arranged with art and most rhetorically written. Section viii. shows that it was begun after the launching of the papal bull which commanded all faithful Christians to deprive Henry of his crown, and either just before or during Pole's journey to Spain on a mission to Charles V. begun December 27, 1538. A passage about the middle of the *Apologia* shows, however, that it could not have been finished at that time; for the writer speaks of having seen "per hos dies" the book which set forth the reasons the English council gave for the attainder or execution of three members of Pole's family.⁴

That book was not ready for distribution on January 9, 1539,⁵ and what must have been one of the first copies distributed was sent to France by the French ambassador on January 16.⁶ Pole could not therefore have seen the book before he passed through south France (he was at Avignon January 22). It is not probable that he saw it then, for that supposition implies that he was writing during the rapid journey⁸ to Toledo, which he reached on February 13. It is most probable that after returning from Toledo, some time between the end of March and the end of September, 1539, he took

¹ Although unwell, he was at Verona on February 28, 1537.

² *Letters and Papers of Henry VIII.*, XII., Part I., No. 123, confirmed by *ibid.*, Nos. 463, 625, 1141.

³ *Poli Epistolæ*, II. cclxxiv, 46.

⁴ *An invective agens the great and detestible vice of treason wherein the secret practices and traitorous workings of them that suffered of late are disclosed*, London, 1539.

⁵ *Letters and Papers of Henry VIII.*, XIV., Part I., Nos. 37, 72.

⁶ *Ibid.*, No. 126.

up and finished the *Apologia*, which he certainly began when he was looking forward to seeing the emperor as the representative of the pope. It was written under great disappointment, for Pole had hoped that Henry would be forced back to the church by the insurrection of the North and by the invasion which, as he had served notice in the manuscript of the *Pro Unitatis Defensione*, he would invoke if the king did not yield to his prophetic denunciations of sin and exhortations to repentance.

He had now come to believe that his hopes of frightening and persuading Henry to repent and return to the church had been blocked first by the devil and second by an emissary of the devil, Thomas Cromwell. He might well have hated and attacked Cromwell bitterly on personal grounds, for Cromwell had been the chief agent in executing his brother, Lord Montague; and condemning his mother, the countess of Salisbury, for treason. But it is not to be assumed that the *Apologia* was written out of personal revenge. Its motive is a burning zeal to speak as the exponent of God's justice in denouncing the enemies of humanity and religion.¹ For Pole now saw plainly what was the undoubted fact, that this man was the chief influence in frustrating the sacred hopes with which he had sailed on his mission (1537) to aid the English rebellion in defense of the Catholic church, and on his other mission to induce the emperor to force Henry back to obedience to the vicar of Christ, which had just proved a failure. Pole, therefore, joins Cromwell to Henry as the object of invective in the name of God and the church.

Let us now consider the historic value of this document, as a chief source for gaining a true impression of the work and character of Thomas Cromwell. In the first place, it must be noted that Cromwell was a man whose character and motives Pole could have appreciated, even under circumstances the most favorable to fair judgment, only imperfectly. Two more antipathetic personages could hardly be imagined. Pole was a man of the highest aristocratic lineage. Cromwell, as Pole is careful to point out, had risen from the common people. Cromwell's intelligence was a product of the Renaissance training. Pole, though a correspondent of Erasmus and a friend of Bembo, was always too much of a theologian of the old type to be really a man of the new learning.² Cromwell expelled scholasticism from Oxford and made provision for the effective teaching of Greek.³ When Pole became the first subject

¹ That the *Apologia* was not written merely as a private letter to the emperor is shown by its whole tone and by the end of Section viii: "Necessarium si cupimus multitudinī prodesse hoc prius ostendere".

² See his correspondence with Sadoleto.

³ *Letters and Papers of Henry VIII.*, IX. Nos. 312, 350.

in England, he deplored the cessation of scholastic learning and changed the lectureship in Hebrew to one on the master of the sentences.¹ Pole was a believer in the old ideal liberties of a semi-feudal commonwealth defended by the two privileged classes of nobles and clergy.² Cromwell was ruthlessly smashing the remnant power of feudalism as a dangerous anachronism, breaking the political influence of the lay lords, destroying that of the ecclesiastical hierarchy, and making England a nation centered around an absolute throne resting on the consent of the middle classes.³

Pole belonged to an era that was past. Cromwell was a man of an era to come, who had been a chief instrument in breaking that ancient divine institution for which Pole had sacrificed everything in the world. To look for a judicious estimate of the character and aims of Abraham Lincoln in a letter of Jefferson Davis written in the midst of the Civil War to gain the recognition of the Confederacy from some foreign government would be far wiser than to approach without caution the *Apologia* which Pole addressed to Charles V. and confidently rely on finding in it a fair and final judgment on Thomas Cromwell. This necessary caution is increased when we understand the purpose and feel the tone of the *Apologia*.

Pole's correspondence is not a common book, and the calendar of the *Apologia* to Charles V. printed in the *Letters and Papers of Henry VIII.* is so condensed that it gives no hint of the violent polemic tone of the writing. Nor does the description of Zimmerman enable the reader to form any idea of it. A few extracts from more characteristic⁴ passages will suggest how little the historic and how entirely the polemic spirit ruled the mind of its author when it poured from his indignant soul against the enemies of God and His church. The molder of the German tongue could never have forced his diction, virile to coarseness, into the artificial rhetoric of Pole's sixteenth-century Ciceronian, but not Martin Luther himself

¹ *Poli Epistolæ*, V. 47, 84.

² Thomas Starkey, Dialogue between Pole and Lupset, in *England in the Reign of King Henry VIII.*, edited by J. M. Cowper for The Early English Text Society, London, 1871. This is probably in accord with the general drift of Pole's views, and it agrees with the political allusions of his letters.

³ The Tudors had no standing army. They destroyed the power of the nobility and clergy. By repeated legislation Henry VIII. tried to make the people keep and practise arms. If his throne was not in the last analysis supported by the loyalty of the middle classes, what kept it from falling under the repeated attacks made upon it?

⁴ The *Apologia* contains passages expressing the great sorrow it gives Pole to be compelled to denounce Henry. Such expressions are usual in the most comminatory writings of popes, cardinals, or bishops. But they are not characteristic of the *Apologia*. It is more denunciatory than that third book of the *Pro Unitatis Defensione*, which Pole himself said was written "acerbe et vehementer", "aspere". Regretful expressions are not applied to Cromwell at all.

could write a polemic which in effect was more violent than the *Apologia*. The object of the treatise is to show that Henry is Antichrist, confirmed in his subjection to Satan by Cromwell, Satan's emissary, and its rhetorical climax is an appeal to the faithful for a holy war to free the world of his tyranny and impiety. Did Moses, Pole asks, have a juster reason for calling upon the Israelites to wipe out the crime of the worshipers of the golden calf even in the blood of brethren and friends than the vicar of Christ has to call to all the pious in view of the worse crimes of Henry, Who is on the Lord's side let him gird his sword on his thigh? If it was said to the tribe of Levi, Blessed are ye of the Lord, ye who have consecrated your hands in the blood of your relatives, how much greater blessing will they deserve who at the call of the vicar of God consecrate their hands in the blood of those who have inflicted such slaughter joined with ignominy on the people of God? "Can it be the chiefs of the tribes of the people of God to whom I, one of those Levites, am sent to hold up that glorious and most pious example of the tribe of Levi" will fail to listen to me?

Henry is the vicar of the devil. Henry is worse than Nero, crueller than the Turk. "Unless Christian princes and peoples unite against him, God will give them no victory over the Turk." Strengthened by God's justice to the office of a prophet, Pole announces that, if they neglect this worst enemy of God, "He will not only not roll back the Turkish charge, but will make it prevail in the day of battle."

Henry has expressed the very form of the rule of Antichrist as foretold in Scripture as it has never been expressed before. Pole would gladly give his body to be burned to save him, but the king is so lost that his conversion would be a miracle never before heard of, "that one not four days dead but long dead should be restored to life and from that hell into which he descended brought back living to the upper regions". An emissary of Satan had confirmed Henry in evil and led him to set himself up in the place of God. His real name was that of the demon by whose impulse he worked. But if we begin with that human name he received from his family before "he fell into the hands of devils and degenerated into their nature", we find it to be Cromwell. A man of no lineage, whose father, they say, earned his living in a little village by fulling cloth, he was like the man in the tombs possessed by a legion of devils—nay worse; "For if a legion of devils drove a herd of swine into the sea, how many legions, or rather how many armies of devils, must be in this Cromwell who has thrust such vast numbers of men down to hell?" No heretic, no schismatic had ever been so bad as

Cromwell. They had cast crowds of men into the sea of death. But Cromwell had gone farther and destroyed the very foundation of righteousness, committing the sin for which Lucifer was cast into the abyss, the assertion that the norm of right and wrong is man's own will. Pole says that he is not talking mystically but in a common-sense way. He can prove what the commands of Satan brought by Cromwell to the king were.

The greater part of his proof is as follows: He had had only one conversation with Cromwell,¹ and that was ten years before, soon after his own return from Italy (1528), when Cromwell was a "sycophant" of Wolsey's. Cromwell was trying, as the duke of Norfolk tried, to persuade Pole (see Pole's letter to Edward VI.) not to oppose the king. The keen man of the world doubtless told the young student of the cloisters things about kings' courts and the sort of arguments to use at them which were true enough, and which Pole did not know, or else he would not have thought it possible to frighten Henry by the *Pro Unitatis Defensione* or raise a crusade against him by the *Apologia*. More in the *Utopia* made to Raphael some excellent remarks about not being a philosopher in the councils of princes, which might easily have been distorted by an enemy who repeated them after the lapse of ten years: And we may well believe that there was more cynical worldly wisdom than piety in Cromwell's talk, without turning his advice into that systematic attack upon the very foundations of morality which Pole says it was, as his judgment of Cromwell's devilish work molded his memories of a single talk across the lapse of years. And we may easily believe that in rejecting the temptation to justify the cruel injustice of Henry's divorce Pole chose the better part, without seeing in Cromwell the diabolic personage which Pole makes him appear in this trumpet-call to sacred war against him.

Pole says that at the end of the conversation Cromwell offered to lend him a book on statecraft if he would read it. It is expressly stated that Cromwell did not mention its name or send it. But Pole "took no less care to get it by inquiring from those who knew the bent of his studies than men take to intercept the despatches of a hostile general to know his plans". It was the *Prince* of Machiavelli, and as soon as Pole began to read he saw that

¹ Pole says (*Apologia*, 132), "hoc fateor, me publice autem illum loquentum nunquam audivisse, privatim autem semel et iterum, nunquam amplius". This, as it stands, means twice. But a few lines farther down on the same page Pole contradicts it by saying "facile ex illo uno congressu et colloquio perspiciebam"; and in the next line, "Talem enim futuram ille uno sermone docuit". The only explanation I can suggest is to drop the editor's comma after *iterum* and take the phrase *iterum nunquam amplius* as loose Latin for "never again". The *Apologia* needs the file in many places, as its editor Quirini remarks.

"though a man's name was on the title-page, the book was written by the finger of Satan even as the Holy Scriptures are said to be written by the finger of God". And this fact, that Cromwell once offered to lend him a book that had just appeared, and that he "afterward" found out that Cromwell read and approved Machiavelli's *Prince*, is Pole's proof that Cromwell is possessed of an army of devils, an emissary of Satan to the king. Then he proceeds to tell also how Cromwell accomplished his mission from Satan.

Pole heard it from one who was present that on a certain occasion the king with a great sigh said that, if he had known how difficult the divorce was, he would never have begun it. From this mood of hesitancy he was brought by Cromwell; and Pole gives a long speech of over 1,500 words made by Cromwell to the king. Pole says that he does not know that he has the order of this speech correct; for he was not present, but he can affirm that there is in it nothing which he has not heard, either from the speaker himself or from those who were the sharers of his counsel. Now when we remember that ten years had elapsed since the speech which Pole did not hear was supposed to be delivered, when we notice that he never referred to either conversation or speech in his writings during the interval, and perceive the unmistakable traces of Pole's reading of Machiavelli all through his version of Cromwell's supposed speech to the king, the conclusion seems inevitable that it was largely constructed under the predominant influence of Pole's conviction that the diabolic activity of Henry's government could best be accounted for by the belief that its chief councilor was the first man to introduce into English statecraft the principles of that Satan's Bible *Il Principe*.

The reasons which Pole alleges for seeking some direct diabolic influence to account for Henry's conduct should first be noticed. Pole was in no mood to recall the evils connected with the veneration of relics and pilgrimages, animadverted upon for more than a generation past by both schismatics and those who stood by the orthodox church (it will be sufficient to recall the words of Erasmus) and to him the wickedest things ever done by any tyrant in the history of the world were the destruction of the shrine of Saint Thomas à Becket and the dishonoring of his bones, and the destruction of the tomb of Saint Augustine.¹ To one who shares this opinion it may perhaps appear that the government of England under Cromwell's influence was so uniquely and diabolically wicked that we must assume for it some peculiar relation to principles ex-

¹ These were deeds "*quæ nullus unquam apostata tentavit unquam nullus hereticus est conatus*", *ibid.*, 110.

PLICITLY denying all the foundations of right and wrong. To one who does not share this view of the *unexampled* atrocity of the destruction of a saint's shrines and the brutal treatment of relics, the assumption that the government of England between 1531 and 1538 so incomparably exceeded in craft or cruelty or despotism the reigns of Henry's contemporaries, men like Ferdinand of Spain, Charles V., Pope Clement VII., or Francis I., that it must of necessity have been guided by some uniquely immoral principles, is scarcely worthy of serious discussion.

Moreover, if Cromwell had owned a manuscript of the *Prince* in 1528—and, as we shall see, there is very strong reason for believing that he did not see the *Prince* until ten years later—there would have been nothing especially significant about that fact. The *Prince* was first printed in 1532 at Rome, by the same printer who printed Pole's book, and under the favor and sanction of the pope,¹ who granted him a ten-years' copyright. It was then considered a perfectly proper book for a pious man to own. By 1554 some dozen editions had appeared, and the book was read by every one who read widely in politics at all. Sir Thomas Smith, a younger contemporary of Cromwell, and one of the fairest statesmen of his times, had it in his library of history and politics, of which a catalogue has survived. The possession of the *Prince* between 1528 and 1540 would suggest no presumption whatever that its owner was a singularly sinister personage; "it is known that Charles V.", for whom Pole wrote the *Apologia*, "carefully studied it, that his son and courtiers perused it".²

That Cromwell became, as Pole says, Henry's chief counselor in the process of breaking allegiance to Rome, destroying the political power of the clergy, and suppressing the monasteries is true enough. In carrying out this plan he used the ruthless and crafty methods common to the politics of the century; the condition of his power was willingness to serve the caprices of a despot whose morbid conscience gave to his evil deeds a singular stamp, which has thrown them into high relief among the many tyrannical acts of the age. But that Cromwell owed his policy or methods to the teachings of Machiavelli is in itself highly improbable. Machiavelli did not create, he only interpreted the political methods of his age. Pole's direct proof that Cromwell was an emissary of the devil is, to any one who knows that generation of the sixteenth century, entirely valueless. And it must be remembered that he himself, presumably

¹ See G. Amico: *La Vita di N. Machiavelli*, Florence, 1875, 415.

² Pasquale Villari, *Niccolò Machiavelli*, Milan, 1895-1897, Volume II., Libro Secondo, Cap. v., 421, chapter on the critics of the *Prince*.

with the advice of his friends, never gave the *Apologia* to the emperor, for whom he wrote it, nor to the world.

In addition to these considerations there are the following detailed reasons to show that Pole's account of Cromwell as the messenger of Satan, drawing his policy from Satan's Bible, is untrustworthy: First we should observe that Pole, like most men, was capable of making mistakes in representing long afterward what he had felt at a certain time and, in regard to small things, in relating what he had done. For example, the letter to Edward VI. (1547-1553), denying the charge that he had undertaken his mission in 1539 to induce kings to take arms against Henry, asserts that he merely intended to persuade the emperor and the French king to use the reasoning of love and friendship with Henry. He never wished that they should attack him by force of arms. He says he will not deny that he advised, in case love and kindness failed, that threats should be added, and that as a last extreme remedy they should declare a commercial blockade.¹ Now this does not necessarily involve any conscious misrepresentation of facts. But we may confidently affirm that it is in effect an entire misstatement. Pole was directed by the pope to carry the bull of excommunication to Charles and ask his aid in its execution, so far at least as by recalling his ambassadors and forbidding all trade with England.² This of course was only an indirect way of using force, because we know from Pole's secretary that it was hoped by cutting England from all communication with Christendom to cause such misery that the people would rise in rebellion against Henry.³ But this consideration by no means measures the error of Pole's recollection. Section viii. of the *Apologia* shows that the account Pole gave after 1547 of his motives and feelings in 1539 is explicitly contrary to fact. That section, written when he was about to undertake his mission, but not published until two hundred years afterward, plainly states that the motive of his mission is to persuade the emperor to postpone the Turkish war and turn his arms against England. Moreover we know that this is what Pole tried to persuade the emperor to do; for the following despatch of Mocenigo, the Venetian ambassador, records the account the emperor gave, soon after Pole left him, of his interview with Pole:⁴

¹ *Epistola ad Edwardum VI.*, xlv, *Poli Epistolæ*, IV.

² Pope Paul III. to Charles V., January 7, 1540, *Calendar of State Papers, Spanish*, VI., Part I., 97.

³ Beccatelli's *Life of Pole*, 17, in *Poli Epistolæ*, I. Beccatelli was Pole's secretary and intimate companion.

⁴ Quoted and summarized in *The Emperor Charles V.*, by Edward Armstrong, M. A. (Macmillan, 1902), II. 21.

On the one hand it seems that the Cardinal wishes me to forbid trade with this king of England as a sort of warning, on the other he appears to want me to make war on him : my answer is that I know full well what war means — that it is easy to begin and not so easy to end : . . . if His Holiness is counselling such enterprises, it is because he is far distant from the said king ; were he as near him as I am, his advice might be very different.

Charles reminded Pole that at Nice the pope had impressed upon him that the crusade was so important that all other enterprises must be postponed for this ; he could not imagine why His Holiness had changed his mind. Pole urged that the English evil was intrinsic, the Turkish extrinsic,¹ and demanded that the intrinsic danger should receive the first attention. " But ", replied the emperor, " if the Turk came to Italy and right up to Ancona, as come he undoubtedly would, would His Holiness regard that as an extrinsic evil ? " Thus the emperor's account of what Pole said on his mission agrees entirely with Pole's own record in the *Apologia* of his feelings just before and after that mission, and shows that Pole's account of that mission written years afterward to Edward VI. was so incomplete as to be entirely misleading.

It may also be shown in the same connection that Pole is capable, as most men are, not only of making mistakes as to the main meaning of what he felt and said in time past, but also capable of making mistakes in telling what he did long ago. He writes in the *Epistola ad Edwardum VI.* that when his friends printed his *Pro Ecclesiasticæ Unitatis Defensione* without his consent during his absence from Rome in 1539, they arranged it in several books, " which I never had done ".² But in the first part of the *Apologia*, composed on the eve of that absence, as the eighth section shows beyond question, he writes, " I have divided the work into four books ", and he then describes them one by one.

Now, if Pole's memories about his feelings and acts were thus obscured and confused³ in the interval between the writing of the *Apologia* (1539) and the *Epistola* (reign of Edward VI., 1547–1553), it is evident that his memories about his feelings and acts as regards Cromwell might become confused in the interval between

¹ The fatuousness of this argument, exposed by the humorous reply of the emperor, is one of several indications that might be adduced to show how much Pole needed Cromwell's advice not to indulge in scholastic discussion at princes' councils.

² *Epistola ad Edwardum VI.*, Section xlviii, *Poli Epistolæ*, IV.

³ The suggestion which Pole's editor, Quirini, seems to imply (*Monumenta Preliminaria*, *ibid.*, I. lxxxvii) does not stand examination. If it did, it would free Pole from this mistake in memory only by involving him in another. Even taking Quirini's improbable suggestion, Pole's own writings show that he was mistaken either in the statement that he had never divided his treatise into four books or in the statement that he could never write a preface for the published work.

1528 and 1539. That they did so become confused is plainly shown by what he wrote in this interval. It is impossible to compare carefully the *Apologia* with the *Pro Unitatis Defensione* and Pole's letters between 1532 and 1539, without a suspicion rising almost to certainty that in this elaborate rhetorical invective against Cromwell he is telescoping in a very misleading way events long separated. In order to prove that Cromwell is a devil ("degeneravit in naturam dæmonum"), Pole tells the emperor that long ago he had a talk with Cromwell about the duty of a prudent counselor with his prince. At the end of it Cromwell offered to lend him a book on the subject written by a certain acute modern of experience. The subject of the conversation and the offer to lend him the book are facts that would be apt to remain in a man's mind. There is not the smallest reason to accuse Pole of inventing them.

There are, however, very strong reasons for doubting that the unnamed book which Cromwell offered to lend Pole was Machiavelli's *Prince*. But does not Pole say that Cromwell offered to lend him Machiavelli's *Prince*? He says nothing of the kind. Cromwell offered to lend him a book which he did not name or send. But "afterward" Pole found out from Cromwell's friends that Cromwell admired Machiavelli's *Prince*, and he concluded that it was the book Cromwell had so much praised. How long "afterward"? There are the very strongest reasons for believing that it was not before 1537, conjectural reasons for believing that it was during 1538.

Before examining these reasons, let us notice the very good ground for believing that the unnamed book which Cromwell offered to lend Pole in 1528 or 1529 was not the *Prince* of Machiavelli at all, but the *Courtier* of Castiglione: (1) The *Prince* was not printed in 1529; the first edition was of May, 1532. This does not, as some writers have thought, render it impossible for Cromwell to have had it, but it makes it improbable. Manuscripts of the *Prince* existed, but they were not very plentiful. (2) There is strong positive reason (to be afterward given) to believe that Cromwell did not see the *Prince* until long afterward, when a friend sent him a copy. (3) The *Courtier*, on the other hand, was printed in April, 1528, and was most widely read. In ten years it was published in seventeen editions and translated into Spanish and French. (4) We know that Cromwell had a copy from the following letter written to him in the summer of 1530 by Edward Bonner, afterward bishop of London:

Right worshipfull, in my veray hartiest maner I commende me to you. And wher ye willing to make me a good Ytalion promised unto

me, longe agon, the Triumphes of Petrarche in the Ytalion tonge. I hartely pray you at this tyme by this beyrer, Mr. Augustine his seruant, to sende me the said Boke with some other at your deuotion; and especially, if it please you, the boke called Cortigiano in Ytalion, etc.¹

(5) The *Prince* has nothing whatever to say about the subject on which Cromwell was talking to Pole—the attitude of a prudent counselor toward his prince.² Pole's recollections of this long-past conversation are not to be assumed as reliable in detail. He would not write it down, for in 1528 Cromwell was a man of no importance. But he would probably remember the subject and the general drift of the talk. This is his recollection:

Pole said in opening, "In my judgment this belongs to the duty of a counselor, not to dissent from those honest and useful things which natural law and the writings of pious and learned men teach". Cromwell replied that scholastic discussion differs from a king's council; that much depends on when, where, to whom, and by whom a thing is said; and that it is the part of a prudent and experienced man to know this. In this matter the learned, who lack experience, often make mistakes, and, because of their abruptness, cause the hatred of princes, because they do not know how to accommodate themselves and their remarks to place, time, and person. Hence, those who come fresh from schools to princely councils, for lack of experience, often run on the rock; which he confirmed with some examples of those who because they held too firmly to scholastic opinions were hated by princes and were not only useless but actually pernicious as counselors. Hence he summed up his opinion about the duty of a prudent counselor that the first part of it is to study the will of his prince.

(6) The *Courtier* is written about the character of princes' friends and the relation of counselors to their sovereigns. It is all about the duty of a prudent counselor. And the following passages are curiously apposite to the advice which Pole says Cromwell gave him:

Nor do I think that Aristotle and Plato would have scorned the name of perfect Courtier, for we clearly see that they performed the works of Courtiership and wrought to this end,—the one with Alexander the Great, the other with the kings of Sicily. And since the office of a good Courtier is to know the prince's character and inclinations, and thus to enter tactfully into his favour according to need and opportunity, as we have said, by those ways that afford safe access, and then to lead him towards virtue,—Aristotle so well knew the character of Alexander, and tactfully fostered it so well, that he was loved and honoured more than a father by Alexander. . . . And of these achievements of Alexander the author was Aristotle, using the means of a good Courtier: which Callis-

¹ Sir Henry Ellis, *Original Letters*, Third Series, London, 1846, II. 178.

² *Poli Epistole*, I. 133.

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thenes knew not how to do, although Aristotle showed him; for in his wish to be a pure philosopher and austere minister of naked truth, without mingling Courtiership therewith, he lost his life and brought not help but rather infamy to Alexander.¹

This very close parallel strongly suggests that the unnamed book was the *Courtier* and not the *Prince*.

But, whether this book that Cromwell offered to lend was the *Courtier* or not, there is the strongest reason for believing that Pole did not think it was the *Prince* till a long time "afterward". He describes how he "sought out this book as carefully as one seeks out the despatches of an enemy to know his plans". He certainly did not do this immediately, for in 1528 (or 1529), when this talk took place, Cromwell was of no importance whatever in the English state. Pole himself describes him as a man of no family, a mere hanger-on of Wolsey. Nor did he rise at all until in the beginning of 1531 he became a member of the royal council. It is hard to understand why, previous to that time, Pole could possibly have been inclined to seek out, "as the despatches of an enemy's general", the book Cromwell had offered to lend. That he did so in 1531 is very improbable for the following reasons: Pole gives, as a proof of his accuracy in reporting this talk with Cromwell, that as soon as he saw Cromwell growing in authority with the king, he left England, fearing what would happen "when he held the helm of state". In regard to this one point of leaving England, there is very strong reason to believe Pole mistaken in his memories of his motives seven years before he wrote. He left England in January, 1532, and he had been trying to obtain permission to leave for some time.² In 1531, when he must have begun to ask license to go to Paris, it would have been very difficult for any one to foresee Cromwell's future great weight in the English councils of state. He was not important enough to be even mentioned in the despatches of the imperial ambassador until April 16, 1533, when he is spoken of briefly as "Cromwell, who is powerful with the King".³ Norfolk and the other kindred of Anne Boleyn were in power at the time Pole left England. We have another account of the reason for Pole's leaving England besides that given here. It does not make any mention of Cromwell. Beccatelli, Pole's intimate friend, who wrote his life, says that he left England because of the fury of the king in an interview he had with him, when the king was so enraged at Pole that he gripped the hilt of his dagger as if to use it ("ut

¹ Quoted after L. E. Opdycke's translation, New York, 1903, 284-285.

² Despatch of imperial ambassador Chapuys to Charles V., *Letters and Papers of Henry VIII.*, V., No. 737; *Epistola ad Edwardum VI.*, Section xi, *Poli Epistola*, IV.

³ *Letters and Papers of Henry VIII.*, VI., No. 351.

ipse mihi Polus narravit"). "Moved by this offense of the king, Pole felt he ought to make every effort to leave England."¹

This lacuna between 1528 and 1533 is filled up by Pole with the account of the long oration of Cromwell to the king alluded to on page 708. The implication that this hypothetical oration made Cromwell at a stroke chief councilor of the king has been accepted without examination. But when tested by facts, by the *State Papers*, and by Pole's own writings, it appears very highly improbable. Pole was out of England from October, 1529, to July, 1530. On his return he lived in retirement. How did Pole find out that Cromwell was the real power behind the throne, when the Spanish ambassador, whose business it was to report the intrigues of the court, and who was in constant communication with the queen and her friends, had no suspicion that Cromwell was of any determining importance until 1533? The straightforward account of Cromwell's rise to power given by Cavendish² agrees with all the facts and presents no mysteries. Cavendish, Wolsey's gentleman usher, saw Cromwell constantly and talked with him just before he rode up to court to see the king on Wolsey's tangled affairs and, as he said in his favorite phrase, "to make or mar"; Cavendish did not approve of Cromwell's policy and therefore could have had no prejudice in his favor. Moreover, as the account of Cromwell's rise comes as a side issue into Cavendish's account of Wolsey's life, there was no motive, conscious or unconscious, for distortion. Pole had spoken to Cromwell but once in his life. His account is in a highly rhetorical polemic. The hypothetical conversation of Cromwell with the king is necessary to his argument that Henry is Antichrist inspired by the devil. Tried by every possible test for determining the value of historic evidence, the account of Cromwell's entry into the king's council given by Cavendish is far more trustworthy than the account of Pole. Cavendish says that Cromwell, in settling Wolsey's affairs, saw the king several times and impressed him by witty "demeanour" and capacity for business. The king took him into his service and made him a royal councilor. The *State Papers* show that his influence there was at first very small. He rose by capacity. In the summer of 1532 he was overwhelmed with business. In the fall he was the only commoner appointed to go with the king to France. In 1533 his power with the king was apparent to the Spanish ambassador.

Not only are there these reasons for doubting the accuracy of Pole's memory that he left England because of Cromwell's rise to

¹ *Vita*, vi and vii, *Poli. Epistolæ*, I.

² George Cavendish, *Life of Cardinal Wolsey*, first printed in London, 1641.

power, but Pole's letters show unmistakably that, nearly five years after he left England, he did not regard Cromwell as possessed by the devil. Therefore he had not yet "searched out" the book that Cromwell offered to loan him and found it to be the *Prince*, for he says, "I had hardly begun to read it before I saw it was written by the hand of Satan". Four years after leaving England, Pole wrote to Cromwell as follows:

"In my heartiest manner I commend me unto you". He says he is glad to hear through his brother of Cromwell's friendly words in assuring him of the continuance of the king's gracious favor, which "I cannot but accept for a great singular pleasure and acknowledge the same for such a benefit as few of my friends could a given beside". He desires Cromwell to do him "a yet greater pleasure": "That it may please you to ascertain his Highness of my serviceable and prompt mind to do him service at all times wherein I can say no more but pray Almighty God to send me some good opportunity, who ever have you in his blessed keeping". He signs himself "Your assuredly bound Raynold Pole".¹

Pole could not have written this letter to a man he thought was governing England by Satan's Bible. More than a year later (February, 1537) Pole still had not searched out this Satanic book, for at that time Michael Throgmorton, a gentleman usher of the cardinal, writes to his friend Richard Morison "in the house of my Lord Privy Seal" (Cromwell) a long letter,¹ in which he "faithfully assures" Morison that Pole bears Cromwell "hearty affection which after long communication by entire and hearty fashion of speaking he manifestly declared seeing that what chance soever should happen he might be assuring of him to his power to shew him that friendly heart and pleasure that he, by his kindness and goodness showed toward him, hath deserved, with further words to the same tenor that at this time I will not rehearse. But briefly to conclude I think surely my Lord your master may assuredly rely of my master's heart to him as of any friend he hath in England" so that if the king's Highness will send any one into Flanders [to confer with Pole] I think my master "would be most best content to speak with him than any other".

This last suggestion Pole himself repeats in a letter to Cromwell written three days later. He says "by writing meseemeth we do not understand one another so that to reply more in this manner I see no point", suggests that learned persons from the king should meet him in Flanders, "and glad I would, if it might be that you

¹ *Nine Historical Letters*, etc., privately printed for J. P. C. (John Payne Collier), London, 1871; *Letters and Papers of Henry VIII.*, IX., No. 701.

might be one of them for you pretending [the word had not yet acquired the sinister meaning of falsely putting forward] that affection to the King's honour that I no less (and with the greatest) do bear to his grace, if we spoke together, peradventure some better ways might be taken than can ever be brought to pass by writing; wherein there will never be that end that both would desire."¹ If Pole believed that Cromwell had degenerated into the nature of a devil and was the minister of Satan, preaching the overthrow of all foundations of right and wrong out of a book written by the finger of Satan himself in order to confirm Henry in the career of Antichrist, these are extraordinary messages for a cardinal of the church to send and write to him.

Pole, unaware that Cromwell knew by advices from Rome and the French king that the object of his mission to Flanders had been to aid the insurrection in England,² had steadily denied any rebellious intentions. In his letter to Cromwell of May 2, 1537,³ he says the king's demand for his surrender as a rebel was caused by "the sinister and false report of others that, by false conjectures of things they knew not, had ill informed the king of my purpose in coming to these parts". But the rebellion he had hoped to aid was extinguished. He thought himself in danger of assassination. He was in danger of being trappaned and taken to England, as in 1529 Charles V. had seized and carried off from the very shadow of the Vatican a priest who had appealed from his authority to Rome.⁴ What he wrote to the pope was true enough. Ready as he might be to die if it could profit the church, his death now would only be to her dishonor. Having permission to withdraw, he determined to leave Flanders secretly. Throgmorton wrote a letter⁵ on August 20, insinuating that if Pole returned to Rome without obtaining some concession from the king about the papal authority, his book

¹ This letter, printed in full in *Nine Historical Letters*, privately printed for J. P. C. (John Payne Collier), is not calendared. The following letter explains its omission:

PUBLIC RECORD OFFICE, 1st August 1902

Mr. Paul van Dyke

Dear Sir.

The letter from Pole to Cromwell 16 Feb. (1537), to which you refer is in this office but the abstract of it was accidentally omitted from the Calendar for the year 1537. The nine letters are all undoubtedly genuine.

I remain

Yours faithfully

R. H. BRODIE

² See reference, page 703 of this article.

³ *Nine Historical Letters*, etc.; *Letters and Papers of Henry VIII.*, XII., Part I., No. 1123.

⁴ *Journal d'un Bourgeois de Paris sous le Règne de François I^{er}*, publié par M. L. Lalanne, Société de l'Histoire de France, 1854, 403.

⁵ *Letters and Papers of Henry VIII.*, XII., Part II., No. 552.

would be printed and the excommunication launched. The threat was repeated September 2 in the suggestion made to the English agent in Flanders,¹ that, if the king wished to stop such things as were likely to be put forth shortly in Rome, he should send at once to Pole.

This attempt to frighten Henry by the threat of publishing papal censures calling on all Christians to drive him from his throne, supported by a book denouncing civil war and appealing for foreign invasion, received as sharp an answer as one with real knowledge of human nature would expect. Two commissioners, one named by Pole himself, were appointed to go to Pole with the demand that he lay aside his claim to represent the incarnate justice of God sitting in judgment on the sins of the king of England, or abide the issue which that claim made inevitable.² The time of threats was past. Cromwell, playing his game to destroy in England the political power of the clergy, who in Pole's opinion were able to appeal for support to a college of cardinals mainly composed of Italians, Frenchmen, and Spaniards who believed themselves appointed to speak the divine judgments to all peoples of the earth, forced his adversary to show his hand—a hand which Pole thought contained infamy for Henry, serious danger of insurrection at home, and the imminent possibility of foreign invasion. But Pole, without waiting for the arrival of the commission he had asked for, was already on his way to Rome,³ having started August 22; Throgmorton, as he afterward boasted, had tricked Cromwell;⁴ and Cromwell answers this threat of publishing the book and loosing the anathemas of the church to provoke rebellion and invasion by a letter defying Pole and the pope. "You have bleared my eye once", he writes to Throgmorton, "you shall not again." He threatens Pole with the most brutal agencies known to contemporary politics—assassination and proscription of his family.⁵ Then Pole began to see in Crom-

¹ *Ibid.*, No. 635.

² *Ibid.*, Nos. 619, 620.

³ *Ibid.*, Nos. 559, 598, 725.

⁴ He had left England to return to Pole, telling Cromwell that if he could not persuade Pole to resign the cardinal's hat and resume allegiance to the king, he would desert Pole's service.

⁵ In regard to these two letters from Cromwell, one sending commissioners, the other threats and defiance, Mr. Gairdner seems to have fallen into a slight error, a thing very unusual for that distinguished scholar. He says in the preface to Volume XII., Part II., xxxvi, "In short the King . . . had entertained the idea of sending some one to confer with Pole . . . [but] had on second thoughts resolved to cast aside all decency and distinctly threaten", etc. No. 725, a letter from Hutton, shows that Cromwell's letter No. 619, promising to send the commissioners asked for by Pole, had been forwarded to Throgmorton, but that Pole and Throgmorton had already gone to Italy without waiting to receive it, the letter of Throgmorton not being delivered to Hut-

well what he had never seen before—the agent of Satan for hardening Henry in the career of Antichrist.

The words “had never seen before” are used advisedly. Not only are Pole’s letters to Cromwell up to the beginning of 1537 inconsistent with a belief on his part that Cromwell had become a devil and was the instrument of Satan hardening Henry in crime, but in 1536 he wrote an altogether different account of the agent of Satan in that persuasion. When he had been asked to reply to the question whether the supremacy of the pope had been established by God, a book by Richard Sampson¹ against the papal supremacy had been sent to him that he might consider its arguments. Pole’s answer to the question, as already related, took the form of the book *Pro Ecclesiasticæ Unitatis Defensione*. He says,² addressing Henry, “God permitted Satan to come to you and persuade you that you would increase your glory by taking the name supreme head of the church.” “But how did Satan persuade you to this? Why should we ask how, when we have the book of Sampson, who was the instrument of Satan to persuade you to do it? Is anything hidden which Sampson and the other instruments of Satan said in thy ears, since they have been willing to commit it to writing?” Now if in 1536, when he wrote these words, Pole had been certain that Cromwell had come straight from Satan to Henry—he says in the *Apologia* (1539), “I knew who sent him and I knew the message he brought”—as the special emissary of the devil to persuade Henry to take the title supreme head of the church, and that Cromwell had done it by arguments drawn from the book of Machiavelli, it is psychologically very hard to believe that while speaking of those implements of Satan, Sampson and Sampson’s book, Pole should not have mentioned either Cromwell or Machiavelli’s book. But neither Cromwell nor Machiavelli is mentioned either here or anywhere else in the *Pro Ecclesiasticæ Unitatis Defensione*.

Having shown that up to February of 1537 Pole did not regard Cromwell as possessed of a legion of devils nor as preaching Satan’s Bible, *Il Principe*, the next question would be, When did Pole first ton until twelve days after date (No. 635). It was after receiving this note from Hutton, telling him that Pole and Throgmorton had gone on without waiting and that there was no use in sending commissioners, that Cromwell wrote No. 795. In spite of this threat, there is nothing to show that any attempt was made to assassinate Pole. One instance where Pole was afraid of a certain man, which is cited in the preface of a volume of the *Letters and Papers of Henry VIII.* as a proof of the attempt, is shown by documents in the volume to be a mistake. The supposed murderer was at the time trying to get pardon and employment from the king. An attempt was made to trapan Pole, bring him to England, and execute him, but Henry refused Wyatt’s offer to have him assassinated.

¹ *Oratio quæ docet hortatur admonet omnes potissimum Anglos regis dignitati cum primis ut obediant*, etc., London, 1533.

² Ingolstadt edition, Book III. 401.

read Machiavelli, and so finding out, as he says, the principles of his action, discover Cromwell's devilish nature? For direct evidence on this question I have searched in vain Pole's correspondence and that of his friends. In his extant writings to 1540, so far as printed, Pole does not mention Machiavelli except in the *Apologia*. This also is a strange thing, if he knew for years before he wrote the *Apologia* that Cromwell was responsible for the sins of Henry, that Machiavelli and the devil were responsible for Cromwell's advice. The omission is not however conclusive, for some of Pole's letters may be lost.

But it is a fact that, so far as we know, the only time that Pole alluded to Machiavelli's influence before he wrote the *Apologia* was in March, 1538. This was not long after a trip to Florence (February or March, 1538),¹ where, as he tells us in the *Apologia*, he discussed Machiavelli's doctrines, and not long before he began the *Apologia*. A record of this conversation has been preserved in a curious way. John a Legh, a traveler to many lands, who had spent some years in Italy and had been conversant with Pole, returned to England in 1540. He was arrested and put in the Tower for examination. A deposition giving an account of his intercourse with Pole has survived.² He writes that at a dinner given at the time when Pole, as head of the English Hospital at Rome, made a certain Hillyear master and a certain Goldwell custos, Pole talked about the sacrilege of the English king in "pulling Thomas of Canterbury from his shrine". He then asked "what stories I had read in the Italian tongue". I answered that as yet I had no leisure but on going home I would get some and read them. He warned me against reading "the story of Nicolo Machauello, which had already poisoned England and would poison all Christendom, and said he would do all he could to cause it 'to be dystynkyd' and put down howt off remberans'". This conversation could not have taken place before March, 1538.³

¹ I have been able to date this visit to Florence by a process too long to be described in a note, but apparently certain in its result. Mr. L. A. Burd, in his admirable edition of *Il Principe* (Oxford, 1891), dates the passage of the *Apologia* that tells of discussing Machiavelli in Florence, 1534 (p. 37). He is doubtless misled by the idea that the *Apologia*, being a preface to the *Pro Unitatis Defensione*, was written when it was published, and he follows Grasse (*vers* 1536) and Brunel (*circa* 1536) for the publication. Professor Villari in his *Machiavelli* does the same thing. As already shown, page 700, the publication was in 1539. If, as seems probable, the *Apologia* was finished in the spring or summer of 1539, "superiore hyeme" would mean the winter of 1538 (Pole's usage often includes in "winter" the first month of spring and the last of autumn).

² *Letters and Papers of Henry VIII.*, XV., No. 721.

³ This is established by information kindly furnished by the head of the English College at Rome, which is the successor and literary heir of the English Hospital. All

Another strange chance has preserved to us a record of the fact that one of Cromwell's intimate friends, Lord Morley, a man who had frequently engaged with him in literary conversation and more particularly in conversation about Florence (see passages in his letter), sent him in the beginning of 1539¹ a volume containing the *Florentine Histories* and the *Prince* of Machiavelli as something which Cromwell had never seen before. Now if Pole explicitly asserted that Cromwell had Machiavelli before 1539, and Lord Morley early in 1539 sent Cromwell the book as a novelty, the very strong probability would be that Pole was mistaken and Lord Morley right; for Pole had talked with Cromwell only once in his life, and Morley had often talked intimately with him on politics and literature. But the reader must again be reminded that Pole does not say that Cromwell had Machiavelli at any given time. He records an old conversation with Cromwell and says that "afterward" he found out that he was a close student of Machiavelli. The conclusive reasons for believing that "afterward" must carry us on at least to March, 1537, have been given from Pole's own writings. What is more reasonable than to believe that in the spring of 1539 Pole had heard from his sympathizers in England that Cromwell was discussing with keen interest the book sent him by Lord Morley, and that in the *Apologia*, which Pole was finishing at that time, he should combine with an attack on Cromwell and Henry the fulfilment of the resolution expressed the preceding spring, which John a Legh naively reported as a plan to cause "Nicolo Matchauello" to be everywhere "dystynkyd and put down" out of all remembrance?

Besides this special line of investigation, many instances might be cited to show that the judgments of the *Apologia* are not those of a historian, but of a polemic, writing out of a mood the very honesty of whose intense zeal makes his work untrustworthy. Before doing so, it is well to recall that a partizan bias in forming moral judgments was common to the age. An intense partizan is apt, often unconsciously, to judge an opponent of his cause far more severely than a supporter of it; and the working of this natural tendency can be seen nowhere more plainly than among the judgments upon the morality of actions uttered by men of the sixteenth century. Documents relating to these appointments were not found, and current statements about them are probably confused, but an index of documents which was found mentions a papal letter of March, 1538, appointing Cardinal Reginald Pole head of the Hospital.

¹ Sir Henry Ellis, who printed this letter in full (*Original Letters*, Third Series, III. 63) dated it 1537. It is dated only February 13. The editors of the *Letters and Papers of Henry VIII.* (XIV., Part I., No. 285) have assigned it to 1539, for good reasons, which may be traced in Volume XIV. If it were written in 1537, it would make no great difference to the reasoning of this article.

century. The delinquencies of the princes who embraced Lutheranism bulk smaller in the pamphlets of Lutheran divines than those of Roman Catholic princes. Huguenot writings or speeches at the time of the civil wars are apt to paint in vivid colors the atrocities of Roman Catholic soldiers. They seldom emphasize strongly the savage deeds of Huguenot partizan bands. And to Pole, as to most men of his time, circumstances unconsciously to himself altered cases.

According to the method pursued in this article, his tendency to suffer his moral judgments to be altered by circumstances will first be illustrated by an instance taken from his writings outside the *Apologia*. Damianus a Goes, writing to Pole, spoke of the great ingratitude of Richard Morison, who, after being supported by Pole at Venice, had repaid his benefits by controversial attacks. Now this was precisely the charge his enemies made against Pole. He had been supported as a student on a royal pension for years and had used his learning against the king. Pole answered with unquestionable sincerity that he had done so for conscience sake. It never seemed to occur to him that there was any possibility of force in Morison's plea that he had stood by the king against his former benefactor for conscience sake. He answers Damianus a Goes: "Concerning what you write about Morison, you rightly detest his ungrateful soul. The vice of ingratitude is a very summary of evil. But if he has been so ungrateful to God, what wonder that he has been so ungrateful to me?" No one with any knowledge of human nature would see in this a proof of insincerity. It only expresses a tendency common to all partizans, intensified in the death-struggle of opposing ideals in the sixteenth century. When Protestant Elizabeth ascended the throne, John Knox was not so positive as he had been under Roman Catholic Mary in asserting that the rule of a woman was against the laws of God and nature. When the Huguenot Henry of Navarre came into sight as the legitimate heir of the throne of France, Huguenot controversialists began to feel the power of the divine right of kings, and Jesuit writers began to see new force in arguments for the supremacy of the people.

A very slight examination of the *Apologia* makes evident the fact that Pole's moral judgments are tremendously swayed by his partizan religious sympathies.¹ For instance, he denounces in the most unmeasured terms the lustfulness of Henry VIII. Most courts at that time were bad places, and Henry's was not one of the best. But it is hard to see that Henry was a more licentious man than

¹ The writer here intends no defense of Henry. He is only suggesting a method of testing the accuracy of Pole's judgment that Henry's deeds display a *unique* atrocity of lust and cruelty.

James V. of Scotland. James had illegitimate children by six different mothers, four of them being daughters of noblemen of his court. Pole could hardly have been unaware of this, for several of these children held important ecclesiastical benefices conferred at Rome. Yet, in his letters to James, Pole addresses him in terms of unbounded admiration: "You set yourself forth as the strenuous minister of Christ's piety", "The noble offspring of pious kings, the constancy of whose piety you repeat in all things."

The conclusion is inevitable that the judgment expressed upon the *unique* and *unexampled* licentiousness of Henry in the denunciation of the *Apologia* is probably unconsciously based upon the fact that Henry's passion for Anne Boleyn was the chief cause which led him to deny the papal supremacy. Pole would evidently have agreed with Sanders, who wrote in *The Rise and Growth of the Anglican Schism*,¹ "The royal household consisted of men utterly abandoned, gamblers, adulterers, panderers, swindlers, false swearers, blasphemers, extortioners and even heretics".

Pole's judgment upon the unexampled cruelty of Henry is evidently inspired by the fact that its victims were largely supporters of the old relation of England to the papacy. Henry shed more noble blood, but he did not put to death more people than several other rulers of his age. In the year 1534, when Pole was writing the *Pro Unitatis Defensione*, which denounced Henry as guilty of inhumanity unmatched in history, Francis I., whose character Pole praises, burnt twenty-three Lutherans in Paris, presiding at the execution of six who were dipped in the *balançoire*, a machine which swung them up and down in the flame in order to prolong the death-struggle. Pole could scarcely have been ignorant of this.

Pole rebukes in the severest terms the cruelty of Henry's punishment of the northern rebellion which centered round the Pilgrimage of Grace. He has no word of blame for the comparatively greater severity of Mary in executing about one hundred for Wyatt's rebellion. He denounces the execution of More and Fisher as deeds worse than those of Nero and Domitian. It was a savage act; but when Pole was head of the English church and chief councilor of the throne, to whom Philip had solemnly committed the care of his wife and kingdom, he expressly approved a deed which from the modern point of view was, like the execution of More and Fisher, an act of savage and superfluous cruelty. In a letter to Philip he reports with full approval² the burning of Latimer and Ridley. And if, during those three years of Mary's rule whose

¹ Edition by David Lewis, London, Burns and Oates, 1877, 24.

² *Poli Epistola*, V. 84.

record of executions cannot be matched during the entire reign of Henry, Pole used his authority as head of the English church or his influence as chief councilor of the throne to save any one from death, no record of it has survived. He had for Mary's conduct and character nothing but the fullest praise. These observations do not imply the least doubt of the sincerity of Pole's denunciations of the crimes of Henry, nor question the entire honesty of his approval of the punishment of the two to three hundred heretics burnt by Mary. They simply illustrate the fact that the controversial writers of the sixteenth century used words like cruelty and wickedness from a standpoint of moral judgment which would be assumed by very few men of to-day, whether Roman Catholics or dissidents from the ancient church. And the *Apologia* of Pole in purpose, tone, language, and judgment is one of the most violently polemic writings of the century.

The writer ventures to suggest, in view of the foregoing examination, that there is far more reason for rejecting Pole's portrait of Cromwell in the *Apologia* than the portrait of Cromwell in Foxe's *Book of Martyrs*, now very properly set aside by modern writers as one-sided. The true portrait of Thomas Cromwell is to be made out of the positive record of his acts. And he ought to be judged by his own ideals, not by ideals he rejected. Over seven thousand letters and papers relating to him have been calendared. The inaccurate memories of his bitterest enemy should no longer distort their interpretation. Thomas Cromwell was no "Martyr of the Gospel". But the diabolically inspired disciple of Machiavelli is a creation of the excited imagination of Pole. And the mysteriously sinister atmosphere which modern writers have borrowed from Pole to throw around their portraits of one of the most capable of English statesmen is not the light of history.

PAUL VAN DYKE.

THE NAVIGATION ACTS AS APPLIED TO EUROPEAN TRADE

THE Navigation Act of 1660,¹ though aimed at the Dutch and intended to enable the English to displace them in the carrying-trade of the world, discriminated equally, with slight exception, against the merchant marine of every foreign power. The ships of continental Europe, and the few other international carriers that then existed, were excluded (1) from the import and export trade of the English colonial possessions in Asia, Africa, and America; (2) from importing into England the goods of the foreign parts of those continents; (3) from the English coastwise trade; and (4) certain restrictions were thrown about the importation into England of the products of Europe. Every one of these provisions affected European trade, but it is intended to discuss in this paper only the last, namely, the limitations laid by the Navigation Act of 1660 upon the importation of European commodities into England, involving the restrictions upon foreign and English carriers in this trade.

International commerce, as we know it in recent times, is in its characteristic condition when it takes place between independent countries, each having a merchant marine engaged in international carrying. Down to the latter part of the eighteenth century, Asia, Africa, and America consisted almost wholly either of colonial dependencies of Europe or of countries that possessed no transoceanic carriers and were in other respects considered beyond the pale, and it is not strange that trade with those continents should have been subjected to peculiar legislation. In England's restrictions upon commerce between herself and her rivals in their own commodities we find her attitude toward that trade which is most characteristically international. In addition, therefore, to a clear understanding of the principles that conditioned European trade for more than a century and a half, the question in hand has a curious significance in American history, for it furnishes a standard of comparison for England's attitude toward other powers—especially as a point of departure in determining whether England discriminated against, or

¹The Navigation Acts of 1651 and 1660 are printed in part in William MacDonald, *Select Charters and other Documents Illustrative of American History, 1606-1775* (New York, 1899), 106 ff.

in favor of, the trade of the United States in 1783, when we took on an international status.

The act of 1660, much altered and in part repealed by innumerable acts, was not completely repealed until the nineteenth century was well begun. The sections of the act that contained the provisions restricting European trade remained in operation with slight modifications, some increasing the original severity, some relaxing it, down to 1822. These sections were then repealed; but a large part of the restrictions which they imposed were included in the consolidation act of that year and in that of 1825, were slightly altered in the act of 1833, and thereafter gradually relaxed by legislation and treaty until their final repeal in 1849.

What were the restrictions imposed by the Navigation Act of 1660 upon European trade? It is commonly stated that no European commodities could be brought into England except in English vessels or in vessels of the country of which the goods were the growth, production, or manufacture.¹ The severe principle thus stated is indeed to be found in the ordinance of 1651, which was in part virtually reënacted by the Restoration Parliament; but it is worth going carefully over the text of the two acts before concluding that the later one reënacted, in all their severity, the restrictions upon European trade contained in the ordinance.

Neither Europe nor the products of Europe are specifically mentioned in the text of the act of 1660. It has been commonly assumed that European commodities are included in the words "Commodities that are of forraigne growth" in section iv., and that section iv. ap-

¹ Such is the interpretation placed upon that act by Dr. William Cunningham, who says: "Another clause of the Acts excluded the Dutch from a carrying trade between England and the Mediterranean ports; since goods of foreign growth and manufacture were only to be imported in English ships, English-built and English-manned." *Growth of Industry and Commerce in Modern Times* (Cambridge, 1892), III. 111. This statement is omitted in the edition of 1903, but European trade under the two acts is still imperfectly treated. See Cambridge edition of 1903, 209, and note. Leone Levi makes a similar statement: "But Dutch ships regularly visited France, Germany, and other countries in Europe, to find freights for England; and from this trade also they must be excluded by providing that no goods or manufactures of Europe should be imported into Great Britain or her colonies except in British ships, or in ships of the countries to which such produce belonged." *The History of British Commerce* (London, 1872), 158. Professor Edward Channing takes the same view: "The sections numbered three, four and five were virtual repetitions of the Ordinance of 1651, and confined the trade from known places in Asia, Africa and America to English vessels navigated by Englishmen, and, as in the ordinance, European goods could be brought only in English vessels or vessels of the producing country, and then only from the usual places of shipment." "The Navigation Laws", in *American Antiquarian Society, Proceedings*, 1889-1890, 165. Such is also the interpretation of George Louis Beer, *The Commercial Policy of England toward the American Colonies* (Columbia University Studies, III., Part II.), 31; Edward P. Cheyney, *An Introduction to the Industrial and Social History of England* (New York, 1901), 193; and others.

plies the stated restriction. But the failure to make any such specific statement should be noticed, inasmuch as the ordinance of 1651 had provided specifically "That no Goods or Commodities of the Growth, Production or Manufacture of *Europe*" should be brought into England except in English vessels or in the vessels of the producing country. The absence of specific mention from the later act would not have so much weight, nor would it be so unreasonable to assume that the products of Europe were included in "Commodities that are of forraigne growth", if section iv. really provided that the "Commodities that are of forraigne growth" should only be imported in English ships or in ships of the producing country. It does not make this provision. The "Commodities that are of forraigne growth" are to be imported only "in English built shipping, or other shipping belonging to some of the aforesaid places". "Aforesaid places" cannot possibly include the countries of continental Europe, for they are not mentioned in this section nor in any preceding section of the act. Obviously, the aforesaid places are the English empire. Moreover, if section iv. had really contained the supposed provision and had applied it to all foreign commodities, including all the products of Europe, what reason was there for inserting section viii., which applies this provision to the goods of Russia and Turkey, and to some other enumerated European commodities? The true meaning of section iv. may be found by a glance at the ordinance of 1651.

That ordinance enacts (1) that no goods of Asia, Africa, or America shall be imported in any but English ships, and (2) that no goods of "Europe" shall be imported in any but English ships or in ships of the producing country; and after thus covering all foreign goods, there follows a section almost identical with section iv. of the act, which in that place is superfluous, except for the single additional restriction that the foreign commodities named in the preceding sections must come from ports of the producing country and from no other; the purpose being to prohibit ships, especially the English, from making up their cargoes in Holland and other European entrepôts instead of making the longer voyages to the original places of growth and production. This is the sole meaning of that section in the ordinance of 1651. If we apply the same interpretation to section iv. of the act of 1660, the expression "Commodities that are of forraigne growth" will include only the products of Asia, Africa, and America, which are the only commodities mentioned in the preceding part of the act. The tone of section iv. favors this interpretation. Its first lines are a perfunctory recital of the sense of the preceding section to designate the commodities

intended, ending with the phrase "as abovesaid", obviously referring to the preceding section; then follow the additional restriction and the penalty.

Section iv. being thus disposed of, the conclusion is, that the act of 1660 imposed no restrictions upon the importation of European commodities other than those of section viii. Hence, under that act, any European commodities could be brought from any European port into England by any ships whatever, except only the products of Russia and Turkey and the enumerated articles, which must come in English ships or in ships of the producing country.

Corroboration of this view must be looked for in the decisions of the courts. What was the interpretation of the act applied by the customs officers and the courts? Fortunately we have a very full and clear answer to that question by John Reeves in his handbook, written in 1791, for the use of the members of the Board of Trade:

The wording of the fourth section of the Act of Navigation is so general; that it was supposed by many to include ALL foreign goods or commodities whatsoever, and not to be confined, as it is now understood, to the goods and commodities of Asia, Africa, and America. It is true, this misconception does not appear to have prevailed with the courts, at least in any case which has come down to us; but it seems to have been so construed by the law officers of the customs. The following are examples of the progress made in ascertaining the true meaning of this clause.

In 20. *Car. 2*, an information was filed for importing Malaga wine in a ship not English, nor English-navigated. It was objected, for the defendant, that this section of the act, though general, was yet confined to the products of Asia, Africa, and America; for it related to the sections that went before. The chief baron *Hale* is made by the Reporter to say, that the subsequent sections might include Europe in some particular cases, *but not in the case now before us*; plainly intimating, that this section did not apply to the European trade, and that the clauses which did apply to the European trade did not make this case a cause of forfeiture.¹

More than twelve years after this, we find a case stated for the opinion of the law-officers, which shows, that the officers of the customs still considered this section as affecting the European trade.²

The law-officers gave it as their opinion that hemp of the growth of Europe might be imported in English ships from Holland, though Holland was not the place of its growth, nor the port where it could only be, or usually had been, first shipped for transportation.³ The point is, that the provision of section iv., that foreign goods must be shipped only from the producing country or from the place of usual

¹ This is the case of *Witheren vs. Robinson*, reported in Sir Thomas Hardres, *Reports of Cases Adjudged in the Court of Exchequer, 1655-1660* (London, 1693), 487.

² *A History of the Law of Shipping and Navigation* (Dublin, 1792), 126-127.

³ *Ibid.*, 127-128.

shipment, does not apply to European goods, and that provision not being repeated in section viii., the ships privileged by the latter section might pick up the enumerated goods in any port, the restriction being as to vessels only and not as to the place of shipment.

But the officers of the customs seem still to have entertained doubts upon the extent of this section [section iv.] ; for in the year 1702 there were stated for the opinion of *Sir Edward Northey* two instances of Spanish wine imported from Portugal. To both these he answered that the fourth section of the Act of Navigation was confined to the sections which went before, and applied only to the goods of Asia, Africa and America ; and that the products of Spain might be brought from Portugal.¹

In another place, speaking of the restrictions put upon European trade by section viii., Reeves says :

In the act of 1651 the whole of this trade was regulated ; and it was, in some respects, subjected to the same restrictions as those imposed on the trade of Asia, Africa and America, in the fourth section of the new act. But the Parliament now thought proper to subject only a portion of it to regulation ; the rest was left at large ; and in this respect some sacrifice was made to the interests of our commercial neighbors, who had complained so heavily of the partial spirit of the former act.²

After quoting section viii., he continues :

The prohibition to import, except only in English ships, or ships of the country whence the commodities come, does not, we see, extend by the present act, as it did by the old one, to all Europe, but is confined to the commodities of Russia and Turkey, and to the articles that are above³ specially enumerated ; so that any European merchandize not there enumerated, and not of the growth, production, or manufacture of *Russia* or *Turkey*, may, by this act, be imported in a ship not English-built, nor of the country from whence the merchandize comes.⁴

All goods not especially enumerated or restricted could be imported in any ship whatever. This principle of the Navigation Act proved a stumbling-block to American statesmen for a considerable period following 1783. They did not grasp the difference in principle between the restrictions placed by the act upon European trade and its restrictions upon the trade of the other three-quarters of the world. They knew that the wording of the act was such that special British legislation was necessary to permit Americans to carry American products to England, and they supposed, in the absence of any new legislative permission, that they were entirely debarred from the European export trade to England. The fact was that the ships of the United States were on the same footing as the ships of any

¹ *Ibid.*, 128-129.

² *Ibid.*, 156-157.

³ That is, in section viii., which he has just quoted.

⁴ Reeves, 158.

European country in carrying to England the products of any other European country. Ignorance of this fact gave rise to one of our minor grievances against the British system. Jefferson, in his famous report of 1793, complains, "We can carry no article, not of our own production, to the British ports in Europe."¹ Madison² and Fitzsimons³ had said the same thing in 1789 in the debates on tonnage discrimination. Tench Coxe had also⁴ included it in his reply to Lord Sheffield. It remained for Lord Grenville to set the Americans right in 1797. The act of Parliament dated July 4, 1797, for carrying into effect the Jay treaty, virtually enacted into statute the orders in council under which the above objection had been made. Rufus King was consulted while the act was pending. Lord Grenville handed him a draft of the act, and King entered a lot of objections upon it. Grenville, it seems, carried these to the Board of Trade and brought back a reply. He said, among other things, that by the act American trade with the home ports of Great Britain "is intended to be left precisely upon the same footing in which it stood by the orders in council, from which the words of the proposed act are nearly taken."⁵ Since there is nothing in the orders or in the act restricting our rights in the European trade, that trade remained open to us, except as restricted by the navigation acts. Lord Grenville said: "All European articles, the importation of which is not confined by the act of navigation to British ships, or ships of the built of the country, from whence such articles are brought, . . . will remain free to American ships, in common with all others."⁶

With regard to the commodities of Russia and Turkey and the enumerated articles, the act of 1660 went a step farther than the ordinance of 1651 in one respect, namely, that if merchants chose to ship the restricted goods in the vessels of the producing country, as permitted, they must pay double aliens' duties on them.⁷

The Act of Frauds⁸ of 1662 added other restrictions which are

¹ *American State Papers, Foreign Relations*, I. 303. The orders in council had opened to American vessels the importation into the home ports of Great Britain of all American products. The error noted is qualified (1) by the fact that the restrictions upon the West-Indian trade were largely in the minds of Americans to the exclusion of clear thought on minor points; (2) by the fact that the European trade that remained unrestricted was not considerable, as is suggested farther on.

² *Annals of Congress*, First Congress, I. 183.

³ *Ibid.*, 187.

⁴ *A Brief Examination of Lord Sheffield's Observations on the Commerce of the United States* (Philadelphia, 1791), 100.

⁵ *American State Papers, Foreign Relations*, II. 112.

⁶ *Ibid.*

⁷ Section ix.

⁸ 13 and 14 Charles II., Ch. XI., *Statutes of the Realm*, V. 393.

so nearly a part of the Navigation Act that they must be considered along with it:

§ 23. And whereas some Doubts and Disputes have arisen concerning the said late Act for encreasing and encouraging of Shipping and Navigation about some of the Goods therein prohibited to be brought from Holland and the Parts and Ports thereabouts Be it enacted and declared That no sort of Wines (other than Rhenish) no sort of Spicery Grocery Tobacco Potashes Pitch Tar Salt Rozin Deale Boards Fir Timber or Olive Oyle shall be imported into England, Wales or Berwick from the Netherlands or Germany upon any pretence whatsoever in any sort of Ships or Vessels whatsoever upon penalty of the losse of all the said Goods as alsoe of Ships and Furniture.

It appears that there had been evasions of section iv. of the Navigation Act, that requiring goods of Asia, Africa, and America to be imported direct from these places, and it has been considered that this new provision was mainly intended to make absolutely impossible the importation of these goods from or by way of Holland. It was therefore construed very liberally in favor of admitting goods from Germany and Holland, of their own growth and production; thus "white-pitch" of Germany was admitted, though "pitch" was expressly prohibited, and "Rhenish wines" was construed to mean any kind of German wine. Of this section Reeves says:

Most of the articles, therefore, intended by this provision, were the productions of Asia, Africa or America; and with regard to them the prohibition was no more than a repetition of that provision in the Act of Navigation, which requires such articles to be brought from the place of their growth. If, indeed, they had undergone such a manufacturing in the Netherlands or Germany as would constitute them a manufacture of those places, they might be brought from thence under the Act of Navigation; and in respect to such articles this prohibition was wholly a new law. It was likewise a new law in regard to such articles here mentioned as were European commodities.¹

A statute of George I. withdrew this prohibition from fir-timber, fir-planks, masts, and deal-boards of Germany, allowing them to be brought in by English ships, and in 1782 these articles were made subject to the same provisions as the articles enumerated in section viii. of the Navigation Act.

These restrictions which we have considered—section viii. of the Navigation Act, section xxiii. of the Act of Frauds of 1662, modified as just indicated—were practically the only restrictions put upon European trade by the navigation laws, and these remained in force down into the nineteenth century.² In 1822, as is said above, both these sections were repealed. The navigation laws were consolidated. The restrictions upon the goods of Russia and Turkey and

¹ Reeves, 164.

² There were some relaxations that made the importation of these restricted articles easier:

of the Netherlands and Germany were then finally dropped, but a long list of enumerated articles reappeared in the consolidation act. These articles received the new privilege of being admitted in the ships of the country from which they were imported, whether it was the country of production or not. Salt, pitch, rosin, potash, sugar, and vinegar, which formed a part of the list in this act of 1822 and of the list in the consolidation act of 1825, were omitted from the consolidation act of 1833, and some additions were made. The list and restrictions then read as follows:

The several sorts of Goods herein-after enumerated, being the produce of *Europe*; (that is to say) Masts, Timber, Boards, Tar, Tallow, Hemp, Flax, Currants, Raisins, Figs, Prunes, Olive Oil, Corn or Grain, Wine, Brandy, Tobacco, Wool, Shumac, Madders, Madder Roots, Barilla, Brimstone, Bark of Oak, Cork, Oranges, Lemons, Linseed, Rape Seed, and Clover Seed, shall not be imported into the United Kingdom to be used therein, except in *British* ships, or in Ships of the Country of which the Goods are the Produce, or in Ships of the Country from which the Goods are imported.¹

This list, strange and peculiar as it appears to us a half-century removed from the particular motives that caused the inclusion of each article in its odd jumble, is found again in the consolidation act of 1845, and was not finally struck from the statute-books until 1849, though it is quite probable that after 1833 the restrictions upon their importation had been greatly modified by treaty.

Here ends the tedious examination of details. It is fully apparent that the Navigation Act put no such harsh restriction upon European trade as is commonly stated. The consequences of those

(1) It will be noted that the enumerated articles and the goods of Russia and Turkey were almost all subject to the monopolies of the trading companies; so that the gradual opening up of these exclusive rights made more English carriers available for their transport.

(2) Disputes arose whether section viii. meant to limit the foreign ships exercising the privilege of carrying the enumerated goods to the ships of the very country of produce or to those of some country under the same sovereign. The law-officers several times gave their opinions that the privilege was limited to the very country as that country stood in 1660. In 22 Geo. III., C. 78, § 3, this privilege was extended to any ship "being the property of subjects under the same sovereign as the country of which such goods are the growth", etc., although not under that sovereign in 1660.

(3) Section viii. provided that a foreign ship to have the privilege of carrying the enumerated goods must be "of the built of that Country or place of which the said Goods are the growth". This varied from other parts of the navigation laws, where ownership was sufficient, the ship being built in some other country. In *Scott vs. d'Achez*, however, the section was construed literally. This feature was relaxed by the act and section just quoted, by which it was sufficient if the ship was the "property of subjects", etc.

(4) In addition to these last two ameliorations, which made more foreign carriers available for the enumerated goods, the double aliens' duties imposed upon them if entered in foreign ships (section ix. *supra*) were removed by 24 Geo. III., C. 16, which repealed all aliens' duties.

¹ 3 and 4 William IV., C. 54, § II.

sweeping statements have doubtless not been fully weighed. The difference is not one of degree merely but of principle. The ordinance of 1651, which alone applied these severe restrictions, struck a blow at English commerce with the continent far out of proportion to the protection it secured to English shipping. It was fortunate that it hardly got into operation before it became a nullity.

The distinction between commerce and the carrying-trade is well worth keeping in mind. In historic discussions of navigation laws the disputants have usually arrived at two opposite opinions; the opponents of the laws asserting that all legislation intended for the protection of shipping is hurtful to commerce, and that the true prosperity of shipping arises naturally from the greatest freedom of commerce; while the advocates have earnestly contended that in the long run the growth of shipping, by an expansion of commerce, more than makes up the temporary losses, although they have usually been driven to defend their position by referring to the dependence of naval power upon the merchant marine.

It is not necessary perhaps, for the purpose in hand, to take position on this recurring issue. It will bring out the desired point of view, however, to assert, of any two acts, that commerce may suffer under the one, and suffer more under the other. Thus the ordinance of 1651 was far more severe toward European commerce than was the Navigation Act. Not only were foreign carriers limited by the ordinance to carrying to England the produce of their own people; but English carriers were restricted, in their commerce with the four quarters of the globe, to shipping their cargoes solely in the place of production, growth, or manufacture, or in the usual place of first shipment; and not only were they prohibited the use of many convenient entrepôts of foreign goods, but if they should not be able to complete a cargo in the goods of the port in which they were loading, they had to sail light-freighted rather than take on any other goods if these happened to be the produce of some other country. The chance which the English importer, or the foreign exporter of European commodities to England, had of taking advantage of the cheapest, most convenient, and most available carriers was thus greatly reduced. The restriction upon carriers was so stringent as seriously to cramp commerce.

While the act of 1660, on the other hand, was probably as completely protective of English shipping, it did not deal so severely with the transactions of commerce. That it was equally protective to shipping is urged by a few writers,¹ who point out that the articles

¹ Adam Smith, *Wealth of Nations* (McCulloch's edition of 1839), 203; J. R. McCulloch, Note XI., in his edition of the *Wealth of Nations*, 530; W. S. Lind-

enumerated in section viii. were the bulky goods of commerce and gave rise to the greatest part of the ocean carrying-trade. From this freight the Dutch were effectually excluded. The importance of the bulky goods in the carrying-trade was certainly considered, and it is well pointed out by Sir Josiah Child in a passage which seems to me to refer partly to the articles enumerated in section viii.:

No trades deserve so much care to procure, and preserve, and encouragement to prosecute, as those that employ the most shipping, although the commodities transported be of small value in themselves; for, first, they are certainly the most profitable; for besides the gain accruing by the goods, the freight, which is, in such trades, often more than the value of the goods, is all profit to the nation, besides they bring with them a great access of power (hands as well as money) many ships and seamen being justly the reputed strength and safety of England.¹

That the act of 1660 was much more favorable to commerce needs little argument. It permitted foreign merchants in any part of Europe to take advantage of any carrier, of any nationality whatsoever, in sending to England any European goods whatever, except those of Russia and of Turkey and the articles enumerated; both foreign and English ships being free to make up cargoes of general merchandise, or complete their cargoes with greater freedom. Even the excepted goods could be shipped in the privileged vessels from any European port, and not exclusively from ports of the producing country. This difference between the principles of enumeration and of total restriction was an increasing one, for the growth of industry and other economic changes multiplied beyond measure the variety of articles in sea-borne commerce, while the enumerated list changed little.

Finally it may be said that there is the widest difference theoretically between the principle of 1651 and the principle underlying the act of 1660. The former principle, carried to its logical conclusion, in its extension and adoption by all nations, would result in the restriction of the carrying of any commodities, the objects of international trade, from the producing directly to the consuming nation in their own vessels exclusively; while the latter recognizes the feeling that international commerce ought in general to be free, and that restrictions are exceptional. DUDLEY ODELL MCGOVNEY.

say, *History of Merchant Shipping and Ancient Commerce*, (4 vols., London, 1874), II. 189. These three writers give evidence of correct interpretation of the act. Smith's statement is brief, Lindsay's inaccurate in detail; McCulloch's is substantially correct. Blackstone, *Commentaries* (Cooley's ed.), I. 419, makes a brief but correct reference. A full and correct statement is found in the report on Commercial Regulations of Foreign Countries, submitted by President Monroe to the Senate, December 14, 1819, *American State Papers, Commerce and Navigation*, II. 199-334.

¹ *A New Discourse of Trade*, preface, xviii., first published in 1665. The reference is to the Glasgow edition of 1751.

DOCUMENTS

1. *Sketch of Pinckney's Plan for a Constitution, 1787.*

THE paper which is given below in the first column is found among the James Wilson manuscripts in the library of the Historical Society of Pennsylvania. Through the courtesy of the librarian, Mr. John W. Jordan, it is here reproduced. The original is in the handwriting of James Wilson. It is undoubtedly an outline of the plan of a constitution presented to the Federal Convention by Charles Pinckney May 29, 1787. In order that the reader may have the evidence before him, there are here given in the second column excerpts from Mr. Pinckney's *Observations on the Plan of Government Submitted to the Federal Convention, in Philadelphia, on the 28th of May, 1787*. The pamphlet containing the *Observations* was printed, or at least distributed, soon after the Convention adjourned.¹ It does not purport to be a speech delivered at the time of submitting the plan to the Convention, but to be made up of remarks "Delivered at different Times in the course of their Discussions".

One or two questions are naturally raised by the inspection of this outline. The readers of the REVIEW will remember that in Volume VIII., pages 509-511, was printed a document which was sent in for publication by Professor J. F. Jameson.² The document was confidently believed to be part of the Pinckney plan, and the finding of the outline below confirms the conclusion, if confirmation were needed. In these two documents we have Wilson's treatment of the plan at two different times. The outline here printed was probably prepared early in the proceedings of the Convention; the other paper consists of excerpts chiefly referring to powers of Congress, and the excerpts were made, it is fair to presume, when Wilson, having been appointed on the Committee of Detail, found the resolutions that had been referred to the committee wanting in particularity concerning the powers to be exercised by the new government. In making the excerpts for his own purposes, Wilson did not exactly follow the order in which the subjects appeared in the plan.

¹ See Madison to Washington, New York, October 14, 1787, *Writings of Madison*, I. 342.

² Also printed in *Annual Report of the American Historical Association, 1902*, I. 130-131.

In the paper entitled "Studies in the History of the Federal Convention of 1787", which was contributed to the *Annual Report of the American Historical Association*, 1902 (I. 87), Professor Jameson ingeniously examines the opinions of Pinckney as expressed in the earlier part of the Convention's proceedings, and, neglecting the claims which the South Carolina statesman put forth in later years, and likewise not paying particular regard to the *Observations*, he indicates the ideas which Pinckney evidently advocated. These were of course at variance with the pseudo plan as presented in the journal of the Convention, but were not in most particulars, it should be noticed, out of harmony with the declaration of the *Observations*. Pinckney's notions, as disclosed by Jameson's method, distinctly add to the evidence that the outline before us is a synopsis of the Pinckney plan. In order to make this appear more clearly I have added in foot-notes excerpts from Pinckney's speeches as condensed by Madison and by others who reported on the debates.

Remembering the gracious assurance with which Pinckney in 1818 sent to John Quincy Adams propositions for a new constitution, which were strikingly similar to the finished instrument, one is naturally somewhat hesitant to believe anything the distinguished statesman said concerning his services in the Convention. And yet it seems that we must now give greater credence to the *Observations* than has been given in the past. Perhaps he did not say everything contained in that pamphlet; possibly he did not say much of it; Professor Jameson¹ is of the opinion that only one paragraph, the next to the last,² "was ever heard in Independence Hall".³ It seems very probable however that at least one other part of the *Observations* was actually delivered. In the condensation of a speech made by Pinckney on June 8,⁴ Madison has preserved the order and in several cases almost reproduced the striking phraseology found in the fourteenth and fifteenth paragraphs of the *Observations*,⁵ urging that the national legislature should have the power to negative state laws. But whatever may be the relation between the pamphlet and what Pinckney actually said in the Convention, it is impossible not to believe that the relation between the *Observations* and the lost plan is very close. There is strong, if not conclusive, evidence that all or large portions of the pamphlet were prepared, as comments on the plan, perhaps before Pinckney went to Philadelphia. That they were afterward dressed up for publication, and that

¹ *Ibid.*, I. 121.

² *Observations*, 26-27.

³ Pinckney's speech on July 2, *Documentary History of the Constitution*, III. 263.

⁴ *Ibid.*, III. 88.

⁵ *Observations*, 12-17.

certain ideas were inserted which were really the outgrowth of the Convention's work and not original with Pinckney, is quite within the range of likelihood. For example, it still seems more than probable that the original plan did not contain the provisions spoken of by Pinckney on page 26 of his pamphlet:

The next Article provides for the privilege of the Writ of Habeas Corpus—the Trial by Jury in all cases, Criminal as well as Civil—the Freedom of the Press, and the prevention of Religious Tests, as qualifications to Offices of Trust or Emolument. . . . There is also an authority to the National Legislature, permanently to fix the seat of the general Government, to secure to Authors the exclusive right to their Performances and Discoveries, and to establish a Federal University.

The reasons for believing that these provisions were not in the plan are given by Jameson, and are conclusive.¹ When Pinckney was preparing his pamphlet for the printer, he thrust in not only the comments on his plan of May 29, but those other provisions which he had proposed and advocated as late as August 20.

And yet a comparison of the outline and the pamphlet shows that in most respects the speech as given in the *Observations* was a comment on the plan. We are led by the outline to believe that the speech was prepared in good faith and that in most respects it really described the plan which he presented. On the other hand, the outline below does not give merely a synopsis of the *Observations* as printed; there are variations, not serious, but sufficient to show that Wilson in writing this document did not have the written speech or printed pamphlet before him. The most puzzling variation is in the numbering of the paragraphs. The third paragraph of the outline is called the fourth in the *Observations*. The ninth of the outline is called the fifth in the *Observations*. After mentioning the fifth, the *Observations* speaks of two articles consecutively, numbered in the outline ten and eleven, and then speaks of the "seventh", which of course ought to have been eighth, had Pinckney's genius for accuracy allowed him to count correctly. The reader will notice, however, that on the whole there is a marked similarity in the succession of the articles: number nine of the plan is five in the *Observations*; then follow in order the articles numbered in the outline ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, nineteen, twenty, twenty-one, twenty-two. An article on naturalization, if it was in the original plan, as one would judge from the *Observations*, is omitted, but there then follows twenty-three, called in the *Observations* "sixteen". To account for such discrepancy as exists is difficult, and an attempt to explain it would be only to

¹ *Annual Report of the American Historical Association, 1902, I. 122, 123.*

hazard a guess. My guess would be that the plan which Pinckney had before him when he prepared the *Observations* was somewhat differently numbered than the one finally filed with the secretary of the Convention.

Pinckney says in concluding his speech as it appears in the pamphlet: "I ought again to apologize for presuming to intrude my sentiments upon a subject of such difficulty and importance. It is one that I have for a considerable time attended to".¹ He had in fact, as a member of Congress, taken this subject of improving the Confederation into serious consideration. In May, 1786, he moved in the Continental Congress the appointment of a grand committee "to take into consideration the affairs of the nation"²; he declared that it was necessary that Congress should have greater powers, that a convention should be called for the purpose, or that Congress should call on the states for enlarged authority. He said "that the confederation was deficient in powers of commerce, in raising troops, and in the means of executing those powers that were given".³ No trace of the discussion of this subject can be discovered in the official papers. Some time early in July⁴ a grand committee was appointed to consider the affairs of the Union. This committee reported August 7, 1786.⁵ It is probable that Pinckney was its chairman. As to this it is difficult to determine, because no mention is made of the committee in the manuscript journal of the old Congress; the manuscript committee-book shows the names arranged in the order of states, running from north to south. The committee appointed a subcommittee of three, of which Pinckney was chairman.⁶ The subcommittee drew up a report, in the preparation of which we may be permitted to think Pinckney had a considerable part. The grand committee accepted and presumably reported the findings of the subcommittee as its own.⁷ The introductory words, as they appear in the original manuscript, are written apparently in Pinckney's hand, a fact worth mentioning only as an indication of his activity. A

¹ *Observations*, 27; Frank Moore, *American Eloquence* (New York, 1862), I. 370.

² See Bancroft, *History of the Formation of the Constitution* (New York, 1882), I. 500, where is quoted Thomas Rodney's report of debates in Congress.

³ *Ibid.*

⁴ I judge that the date was early in July from the place in which the entry appears in the manuscript committee-book, in Papers of the Continental Congress, CXc. 107.

⁵ The original report of this committee is in Papers of the Continental Congress, XXIV., Part I., 179-194, Reports of Committees. It is printed in Bancroft, *History of the Constitution*, II., appendix, 373-377. The date of making the report is obtained from the indorsement on the back of the last sheet, as is also the fact that a subcommittee of three, of which Pinckney was chairman, was appointed. This indorsement is printed by Bancroft.

⁶ *Ibid.*

⁷ *Ibid.*

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comparison of the report with the *Observations* and the outline printed below will show that Pinckney was much influenced by his work in the Continental Congress. Did he in large measure embody in his new plan the amendments he had been working on and discussing the previous summer? The quotations given in the foot-notes will aid in answering that question. It will be noticed that he plainly used at least a portion of the report, and it is fair perhaps to believe that his work in the Federal Convention was but a continuation of his work in Congress. In the Convention, however, he had opportunity to propose more radical alterations, and probably the dreary autumn and winter that preceded the meeting at Philadelphia had taught him, as it had taught others, the need of changing the first principles of the system. After arranging for a better form of government, did he not put in much of the seven articles which constituted the report of August 7, 1786?

The portion of the plan which Professor Jameson discovered contains not less than twenty propositions that are found in the report of the Committee of Detail and that are not found in the twenty-three resolutions submitted to the committee, nor in the Virginia or Paterson resolutions.¹ Six of these were presumably taken by Pinckney from the Articles of Confederation. It might possibly also be reasonable to add the power to levy duties on imports and the power to regulate commerce, which were also in the Paterson plan, inasmuch as Pinckney's plan was submitted first; but such ideas were practically common property in 1787. In the document, which is printed in facsimile in Meigs's *Growth of the Constitution in the Federal Convention of 1787*² (Philadelphia, 1900), and which Mr. Meigs has shown to be a draft made by Randolph for the use of the Committee of Detail, thirteen of these twenty propositions appear.³ Of these, four are written in the margin or interpolated in the text in John Rutledge's remarkable handwriting, which is chary about surrendering its secrets. By the help of the outline given below, we can detect other interpolations by Rutledge seemingly taken from Pinckney: (a) the words "by Ballot" in the sentence "who shall be elected by the legislature by Ballot"⁴; (b) "nor lay imposts or duties on imports"⁵; (c) "the consent of the

¹ AMERICAN HISTORICAL REVIEW, VIII. 509; *Annual Report of the American Historical Association*, 1902, I. 130-131. To the provisions printed in italics in the plan on pages 130-131 should be added "fixing the Standard of Weights and Measures". See page 132, note a.

² The nine plates inserted between pages 316 and 317.

³ *Annual Report of the American Historical Association*, 1902, I. 132.

⁴ Meigs, plate vi.

⁵ *Ibid.*, plate v; Report of Committee, article xiii.

Legislatures of such States shall be also necessary to its admission", which is presumably the result of Rutledge's marginal note, "States lawfully arising and if within the Limits of any of the pres[en]t States by Consent of the Legisl^s of those States".¹ To these possibly may be added (d) "cases of Admiralty . . . jurisdiction", certainly interpolated by Rutledge,² and perhaps taken from Pinckney.³ It might be fair to add to these the provision for calling a convention for amending the Constitution on the application of the legislatures of two-thirds of the states. In other words, besides the four previously mentioned by Jameson, three and perhaps four of Pinckney's propositions are thus seen working their way into the report of the committee. All but the first, after some verbal modification, found a place in the Constitution.

We may next notice that in the report of the Committee of Detail are two other provisions that may be ascribed to the influence of the Pinckney plan: (a) the provision for the time of election of members of each house⁴; (b) the provision for the meeting of Congress.⁵ But there are a number of other provisions, which Pinckney borrowed from the Articles of Confederation and which, presumably through the medium of his plan, found their way into the report of the committee: the clause granting to the citizens of each state the privileges and immunities of citizens in the various states; the provision for the surrender of criminals, which was also in the Paterson plan; the provision that each state shall give full faith to acts, records, and judicial proceedings of other states; the provision that no state shall make treaties; that no state shall keep a naval or land force; that Congress shall have the right to regulate the value of money and its alloy. All of these with some modification entered into the Constitution. We should notice also that the Committee of Detail reported in favor of having the Senate establish a court of final resort for trial of cases between states, almost a direct copy of the provision in the Articles of Confederation and appearing as article fourteen of the Pinckney plan, but of course not going into the final draft of the Constitution. There is some indication in the outline before us that at least two other provisions which finally appeared in the Constitution were in a measure due to Pinckney's suggestion.

By help of the condensation of the plan which Professor Jameson discovered and from the light thrown on the problem by the

¹ Report of Committee, article xvii; Meigs, plate vii.

² Report of Committee, article xi, section 3; Meigs, plate vii.

³ See article 15 below.

⁴ Report of Committee, article vi, section i.

⁵ *Ibid.*, article iii.

document printed below, we can say that Pinckney suggested some thirty-one or thirty-two provisions which were finally embodied in the Constitution; of these, about twelve were originally in the Articles of Confederation, and of course the fact that they were restated by Pinckney in his plan may not have had material influence in securing their adoption.

It must not be assumed that we know all that Pinckney thus contributed to the fabric of the Constitution. We now know very definitely the nature of his recommendations, we know that some of them found formulation in the Continental Congress, and we know that many of them were finally embedded in the Constitution; but there were doubtless some other propositions that likewise found permanence in the work of the Convention. If mere assertion based on analogy and general probability were worth while, other portions of the Constitution might be pointed to as coming from the ingenious and confident young statesman from South Carolina.

OUTLINE OF THE PLAN.

1. A Confederation between the free and independent States of N. H. etc. is hereby solemnly made uniting them together under one general superintending Government for their common Benefit and for their Defense and Security against all Designs and Leagues that may be injurious to their Interests and against all Forc[e] [?]² and Attacks offered to or made upon them or any of them

2 The Stile

3 Mutual Intercourse — Community of Privileges — Surrender of Criminals — Faith to Proceedings etc.

EXCERPTS FROM THE OBSERVATIONS.

. . . their true interest consist in centering as much as possible, the force and resources of the union in one superintending Government (p. 14).¹

The 4th article, respecting the extending the rights of the Citizens of each State, throughout the United States; the delivery of fugitives from justice, upon demand, and the giving full faith and credit to the records and proceedings of each, is formed exactly upon the principles of the 4th article of the present Confederation, except with this difference, that the demand of the Executive of a State, for any fugitive, criminal offender, shall be complied with (p. 11).

¹ Page references are to the pamphlet. The passages can readily be found in the reprint in Moore's *American Eloquence*, I. 362-370.

² Or Foes.

4 Two Branches of the Legislature — Senate — House of Delegates — together the U. S. in Congress assembled

H. D. to consist of one Member for every thousand Inhabitants $\frac{3}{4}$ of Blacks included¹

Senate to be elected from four Districts² — to serve by Rotation of four Years — to be elected by the H. D. either from among themselves or the People at large³

5 The Senate and H. D. shall by joint Ballot annually⁴ chuse the Presid^t U. S. from among themselves or the People at large. — In the Presd^t the executive authority of the U. S. shall be vested. — His Powers and Duties — He shall have a Right to advise with the Heads of the different Departments as his Council

The division of the legislative will be found essential, because, in a government where so many important powers are intended to be placed, much deliberation is requisite (p. 8).

The Senate, I propose to have elected by the House of Delegates, upon proportionable principles, in the manner I have stated, which though rotative, will give that body a sufficient degree of stability and independence. The districts, into which the Union are to be divided, will be so apportioned, as to give to each its due weight, and the Senate, calculated in this, as it ought to be in every Government, to represent the wealth of the Nation . . . each class being elected for four years (p. 9).

The executive should be appointed septennially, but his eligibility ought not to be limited (p. 9).

¹ On June 11 (*Doc. Hist.*, III. 107) Pinckney moved that the ratio of representation be "in proportion to the whole number of white and other free Citizens and inhabitants of every age sex and condition including those bound to servitude for a term of years and three fifths of all other persons not comprehended in the foregoing description, except Indians not paying taxes, in each State." Compare his attitude on July 6 and 12 (*ibid.*, 283, 324). He advocated the election of the first branch "by the State Legislatures and not by the people" (*ibid.*, 69).

² On July 2 (*ibid.*, 264) Pinckney "read his motion to form the States into classes, with an apportionment of Senators among them". Madison adds as a note "see art. 4 of his plan". Pierce says (Pierce's notes in *AMERICAN HISTORICAL REVIEW*, III. 319), "Mr. Ch^r Pinckney said he meant to propose to divide the Continent into four Divisions, out of which a certain number of persons sh^d be nominated, and out of that nomination to appoint a Senate."

³ Apparently in accordance with this proposition, on June 1, when the proposal that the Senate should be chosen by the first branch out of persons nominated by the state legislatures was being discussed, Pinckney moved to strike out the clause providing for "nomination by the State Legislature" (*Doc. Hist.*, III. 31).

⁴ In the Convention Pinckney favored having the executive consist of a single person (*ibid.*, 35, 51) and strongly advocated his being elected by the legislative body (*ibid.*, 355), but proposed a seven-year term (*ibid.*, 39), instead of the one-year term provided for here. It is very probable, however, that the word "annually" indicates a mistake by Wilson in jotting down the plan; in the *Observations* Pinckney used the word "septennially".

6 Council of Revision, consisting of the Presid^t S. for for. Affairs, S. of War, Heads of the Departments of Treasury and Admiralty or any two of them tog^r w^t the Presid^t.¹

7 The Members of S. and H. D. shall each have one Vote, and shall be paid out of the common Treasury.

8 The Time of the Election of the Members of the H. D. and of the Meeting of U. S. in C. assembled.

9 No State to make Treaties — lay interfering Duties — keep a naval or land Force Militia excepted to be disciplined etc according to the Regulations of the U. S.

In the Parliament of Great-Britain, as well as in most, and the best instituted legislatures of the States, we find, not only two Branches, but in some, a Council of Revision, consisting of their executive, and principal officers of government. This, I consider as an improvement in legislation, and have therefore incorporated it as a part of the system. It adds to that due deliberation, without which, no act should be adopted; and, if in the affairs of a State government, these restraints have proved beneficial, how much more necessary may we suppose them, in the management of concerns, so extensive and important? (pp. 8-9.)

The assigning to each State its due importance in the federal Councils, at once removes three of the most glaring defects and inconveniencies of the present Confederation. The first is, the inequality of Representation: the second is, the alteration of the mode of doing business in Congress; that is, voting individually, and not by States: the third is, that it would be the means of inducing the States to keep up their delegations by punctual and respectable appointments (pp. 7-8).

There is also in the Articles, a provision respecting the attendance of the Members of both Houses; it is proposed that they shall be the judges of their own Rules and Proceedings, nominate their own Officers, and be obliged, after accepting their appointments, to attend the stated Meetings of the Legislature (p. 25).

The 5th article, declaring, that individual States, shall not exercise certain powers, is also, founded on the same principles as the 6th of the Confederation (p. 11).

¹ "Mr. Pinkney had been at first in favor of joining the heads of the principal departments the Secretary at War, of foreign affairs and — in the council of revision. He had however relinquished the idea from a consideration that these could be called on by the Executive Magistrate whenever he pleased to consult them" (*Doc. Hist.*, III. 78-79).

10. Each State retains its Rights not expressly delegated¹— But no Bill of the Legislature of any State shall become a law till it shall have been laid before S. and H. D. in C. assembled and received their Approbation.²

11. The exclusive Power of S. and H. D. in C. Assembled

12. The S. and H. D. in C. ass. shall have exclusive Power of regulating trade and levying Imposts — Each State may lay Embargoes in Times of Scarcity³

13 — of establishing Post-Offices

The next, is an important alteration of the Federal System, and is intended to give the United States in Congress, not only a revision of the Legislative acts of each State, but a negative upon all such as shall appear to them improper (p. 12).

I must confess, I view the power of revision and of a negative as the corner stone of any reform we can attempt (p. 13).

The next article, proposes to invest a number of exclusive rights, delegated by the present Confederation (p. 17).

The 7th article invests the United States, with the compleat power of regulating the trade of the Union, and levying such impost and duties upon the same, for the use of the United States, as shall, in the opinion of Congress, be necessary and expedient (p. 17).

The 8th article only varies so far from the present, as in the article of the Post-Office, to give the Federal Government a power, not only to exact as much postage, as will bear the expence of the Office, but also, for the purpose of raising a revenue (p. 18).

¹ Compare "No position appears to me more true than this; that the General Gov^t can not effectually exist without renewing to the States the possession of their local rights", from Pinckney's speech of June 25 (*ibid.*, 207).

² "Mr. Pinkney moved 'that the National Legislature sh^d have authority to negative all Laws which they sh^d judge to be improper'" (*ibid.*, 88).

³ Compare this section of the plan with the italicized portions of the following proposed amendment to the Articles of Confederation, reported by the committee of the Continental Congress referred to above :

"Art. 14. *The United States in congress assembled shall have the sole and exclusive power of regulating the trade of the states as well with foreign nations as with each other, and of laying such prohibitions, and such imposts and duties upon imports and exports, as may be necessary for the purpose; provided the citizens of the states shall in no instance be subjected to pay higher duties and imposts than those imposed on the subjects of foreign powers; provided, also, that all such duties as may be imposed shall be collected under such regulations as the United States in congress assembled shall establish consistent with the constitutions of the states respectively, and to accrue to the use of the state in which the same shall be payable; provided, also, that the legislative power of the several states shall not be restrained from laying embargoes in times of scarcity; and provided, lastly, that every act of congress for the above purpose shall have the assent of nine states in congress assembled, and in that proportion when there shall be more than thirteen in the union.*" Bancroft, *History of the Constitution of the United States*, II., appendix, 374.

14. S. and H. D. in C. ass. shall be the last Resort on Appeal in Disputes between two or more States; which Authority shall be exercised in the following Manner etc

15. S. and H. D. in C. ass. shall institute offices and appoint officers for the Departments of for. Affairs, War, Treasury and Admiralty.

They shall have the exclusive Power of declaring what shall be Treason and Misp. of Treason ag^t U. S.—and of instituting a federal judicial Court, to which an Appeal shall be allowed from the judicial Courts of the several States in all Causes wherein Questions shall arise on the Construction of Treaties made by U. S.—or on the Laws of Nations—or on the Regulations of U. S. concerning Trade and Revenue—or wherein U. S. shall be a Party—The Court shall consist of Judges to be appointed during good Behaviour²—S and H. D. in C. ass. shall have the exclusive Right of instituting in each State a Court of Admiralty, and appointing the Judges etc of the same for all maritime Causes which may arise therein respectively

The 9th article respecting the appointment of Federal Courts, for deciding territorial controversies between different States, is the same with that in the Confederation¹; but this may with propriety be left to the Supreme Judicial (p. 18).

The 10th article gives Congress a right to institute all such offices as are necessary for managing the concerns of the Union; of erecting a Federal Judicial Court, for the purposes therein specified; and of appointing Courts of Admiralty for the trial of maritime causes in the States respectively. . . . At present there is no Tribunal in the Union capable of taking cognizance of their officers who shall misbehave . . . for this, as well as the trial of questions arising on the law of nations, the construction of treaties, or any of the regulations of Congress in pursuance of their powers, or wherein they may be a party, there ought certainly to be a Judicial, acting under the authority of the Confederacy (pp. 18–19).

¹ The ninth article of the Articles of Confederation made the United States in Congress assembled "the last resort on appeal in all disputes and differences . . . between two or more States . . . which authority shall always be exercised in the manner following."

² Pinckney was in favor of having the judges appointed by the legislative body (*Doc. Hist.*, III. 64, 117, 400).

Compare the foregoing provisions in the second paragraph of this section of the plan with the italicized portions of the following proposed additional Article of Confederation reported by the committee of the Continental Congress referred to above:

"Art. 19. The United States in congress assembled shall have the sole and *exclusive power of declaring what offences against the United States should be deemed treason and what offences against the same misprision of treason*, and what offences shall be deemed piracy or felonies on the high seas, and to annex suitable punishments to all the offences aforesaid respectively, and power to *institute a federal judicial court* for trying and punishing all officers appointed by congress for all crimes, offences, and misbehavior in their offices, and *to which court an appeal shall be allowed from the judicial courts of the several states in all causes wherein questions shall arise on the meaning and construction of treaties entered into by the United States with any foreign power, or on the law of nations, or wherein any question shall arise respecting any regulations that may hereafter be made by congress relative to trade and commerce, or the collection of federal revenues* pursuant to powers that shall be vested in that body, or wherein questions of

16. S and H. D. in C. Ass shall have the exclusive Right of coining Money — regulating its Alloy and Value — fixing the Standard of Weights and Measures throughout U. S.

17. Points in which the Assent of more than a bare Majority shall be necessary.¹

18. Impeachments shall be by the H. D. before the Senate and the Judges of the federal judicial Court.

19. S. and H. D. in C. ass. shall regulate the Militia thro' the U. S.

20. Means of enforcing and compelling the Payment of the Quota of each State.

21. Manner and Conditions of admitting new States.

The exclusive right of coining Money — regulating its alloy, and determining in what species of money the common Treasury shall be supplied, is essential to assuring the Federal Funds (p. 19).

In all those important questions where the present Confederation has made the assent of Nine States necessary, I have made the assent of Two-Thirds of both Houses, when assembled in Congress, and added to the number, the Regulation of Trade, and Acts for levying an Impost and raising a Revenue (p. 20).

The exclusive right of establishing regulations for the Government of the Militia of the United States, ought certainly to be vested [vested], in the Federal Councils . . . an uniformity in Discipline and Regulations should pervade the whole . . . they should have the exclusive right of establishing regulations for their Government and Discipline (pp. 20-21).

In every Confederacy of States, formed for their general benefit and security, there ought to be a power to oblige the parties to furnish their respective quotas (p. 21).

The article empowering the United States to admit new States into the Confederacy is become indispensable, from the separation of

importance may arise, and the United States shall be a party, provided that the trial of the fact by jury shall ever be held sacred, and also the benefits of the writ of habeas corpus; provided, also, that no member of congress or officer holding any other office under the United States shall be a judge of said court, and the said court shall consist of seven judges, to be appointed from the different parts of the union, to wit, one from New Hampshire, Rhode Island, and Connecticut, one from Massachusetts, one from New York and New Jersey, one from Pennsylvania, one from Delaware and Maryland, one from Virginia, and one from North Carolina, South Carolina, and Georgia, and four of whom shall be a quorum to do business." Bancroft, *History of the Constitution of the United States*, II., appendix, 376-377.

¹ Compare this section and the accompanying excerpt from the *Observations* with the last provision of the proposed additional Article of Confederation, given above on page 744.

22. Power of dividing annexing and consolidating States, on the Consent and Petition of such States.¹

23. The assent of the Legislature of States shall be sufficient to invest future additional Powers in U. S. in C. ass. and shall bind the whole Confederacy.²

24. The Articles of Confederation shall be inviolably observed, and the Union shall be perpetual³: unless altered as before directed

25. The said States of N. H. etc. guarantee mutually each other and their Rights against all other Powers and against all Rebellion etc.

certain districts from the original States, and the increasing population and consequence of the Western Territory (p. 22).

I have also added an article authorizing the United States, upon petition from the majority of the citizens of any State, or Convention authorized for that purpose, and of the Legislature of the State to which they wish to be annexed, or of the States among which they are willing to be divided, to consent to such junction or division, on the terms mentioned in the article (p. 22).

The 16th article proposes to declare, that if it should hereafter appear necessary to the United States to recommend the Grant of any additional Powers, that the assent of a given number of the States shall be sufficient to invest them and bind the Union as fully as if they had been confirmed by the Legislatures of all the States (p. 23).

¹ If the *Observations* are to be relied on, as of course they cannot in all particulars, an article giving the national government power to determine on what terms naturalization might be granted should be here inserted.

² "Mr. Pinkney hoped that in case the experiment should not unanimously take place nine States might be authorized to unite under the same Government" (*Doc. Hist.*, III. 67.)

³ In the original appears a cross, above the line, before "and" and also after "perpetual", thus indicating presumably that the writer of the outline had noticed that the thought of the paragraph was not consistent, and that the phrase between the crosses should come later, bringing the last phrase, "unless altered as before directed", closer to "inviolably".

2. *Papers Bearing on James Wilkinson's Relations with Spain, 1787-1789.*

IN the article "Wilkinson and the Beginnings of the Spanish Conspiracy" in the April number of the REVIEW,¹ allusion is made to a communication of General James Wilkinson addressed to Miró, the Spanish governor at New Orleans, which Wilkinson framed as a response to the decision of the Council of State in Spain on the propositions submitted in his memorial of August 21, 1787. The attitude assumed by the Spanish government, and the change in local circumstances within the United States since 1787, led Wilkinson to prepare what was practically a second memorial, though in the form of an ordinary letter to Miró. Herein he brings forward an apparently simple scheme for the encouragement of emigration to Louisiana from the American settlements south of the Ohio. The real purpose was so to diffuse the Spanish influence among the Kentuckians in particular that, when they had withdrawn from the jurisdiction of Virginia, they might be ready to establish a close connection with Spain by a commercial treaty, a formal alliance, and eventually perhaps by the conversion of Kentucky, and possibly Tennessee, into a Spanish province. Wilkinson thereupon devised a plan of wholesale bribery in order to pledge the influential men in the Kentucky and Tennessee region to the Spanish cause, or at least to render their opposition innocuous; and incidentally prepared a list of suitable pensioners, with their prices affixed.

In his statement to Congress, speaking of his connection with the Spanish colonial government in New Orleans about 1789, Daniel Clark says (*Proofs, appendix*, 105): "I remember . . . to have seen a list of names of citizens of the western country, which was in the hand writing of the General [*i. e.* Wilkinson], who were recommended for pensions, and the sums proper to be paid to each were stated; and I then distinctly understood that he and others were actually pensioners of the Spanish government." In refutation of this assertion Wilkinson observes (*Memoirs*, II. 113): "It was at this time, I presented a list of respectable names as emigrants, to give consistency to my propositions; and this is, in all human probability, the list of which Mr. Clark may have heard a whisper, when a clerk in the Spanish secretary's office, and which he has converted into a list of pensioners." Not only does Wilkinson thus flatly contradict Clark's statement, but he declares (*cf. ibid.*, 112) that he submitted the list to Governor Miró on the occasion of his first visit to New Orleans in 1787, and not in 1789 as Clark avers.

¹ VIII. 501, note 1.

Researches in the archives of Spain have demonstrated the truth of both of Clark's contentions. We there find the answers of the Spanish council to his first memorial, the letter to Miró of which I have just spoken, and also another letter to Miró and enclosed in it the "list" in question. Spanish translations of these documents are in the National Historical Archives at Madrid, Estado, Legajo 3898 B, and in the Archives of the Indies at Seville, Audiencia de Santo Domingo, Estado 86, Cajon 6, Legajo 17. The letters themselves, as preserved in both repositories, are the same, but the respective "lists" show slight verbal differences in the translation.

WILLIAM R. SHEPHERD.

I. DECISION OF THE COUNCIL OF STATE ON WILKINSON'S FIRST
MEMORIAL.¹

Supreme Council of State.

November 20, 1788.

All members present.

The synopsis furnished by Don Antonio Valdes² of the general matter of encouraging immigrants to the province of Louisiana or of admitting them having been examined, it was decided:

That of the two propositions submitted by Brigadier Wilkinson, of which in substance the first suggests that the king should receive the inhabitants of the Kentucky region as subjects and take them and their territory under his protection, while the second sets forth that the inhabitants of Kentucky and the other settlements [along the rivers] emptying into the Ohio, who might desire to emigrate to Louisiana should be allowed to settle in that province; it being inadvisable to consider the first until the Kentuckians attain the independence from the United States to which they aspire, although they should not be suffered to lose hope that in case of success they would be admitted [as subjects], the second project should be adopted, and that all be allowed to enter as settlers who might come of their own accord, or might be brought by the brigadier aforesaid, with their families, property, and cattle, exclusive of mere vagabonds, and granting to the settlers the private enjoyment of the religious faith they profess, though not the public observance of it, for the churches must all be Catholic, with Irish Catholic priests and clergy.

That property of every kind, cattle, and produce, and even marketable commodities, brought from Kentucky and the Ohio country by families or individuals who may come to settle in the territory of that province, are to be exempt from all duties and imposts upon their first entry, without reference to the duty of 25 per cent. levied³ upon the produce of

¹ Archivo Histórico-Nacional, Madrid, Estado, Legajo 3893 A.

² The minister of war and treasury of the Indies.

³ This was the rate fixed by the Spanish government in the orders sent to Miró concerning the scheme of colonization offered by Pierre Wouves d'Argès. See the note following. Archivo Histórico-Nacional, Estado, Legajo 3893 A. Florida Blanca to Valdes, August 3 and 20, 1787; Valdes to Miró, August 23, 1787.

Kentucky; but they shall be subject later to the payment of the usual duties as established, upon exportation.

That henceforth a duty of 15 per cent., instead of 25 per cent., as imposed by previous order, shall be levied upon the inhabitants of Kentucky who elect to remain there and ship produce by the Mississippi to New Orleans, this produce being subject later to the payment of the regular export duties in case it is reshipped elsewhere; and that the governor of the province is to be authorized at his discretion to make any reduction he pleases of this 15 per cent. for the benefit of prominent persons who may request this favor, so as to preserve the attachment of those already well inclined to our government, and similarly to dispose the remaining ones, it being understood that they are to be favored in all possible ways under the actual circumstances, and that they will continue to be favored whenever more opportune conditions appear.

That, although the propositions of Brigadier Wilkinson deserve the preference as being more practically advantageous, nevertheless, since M. Wouves d'Argès,¹ also would be busied, as he has been, in promoting emigration to the aforesaid province, and since [his project] has been adopted by the government, he should not be abandoned; nor would it be decorous or befitting our good faith to put off and dismiss this d'Argès. But as there is a risk that in the performance one may clash with the other,² from which very pernicious disagreements might result, Governor Miró should be enjoined to try, with the greatest sagacity and tact, to reconcile the interests that bestir both, and to wean d'Argès from the idea of bringing emigrants from Kentucky, with the assurance that the king will reward his zeal as his conduct may warrant.³

That Brigadier Wilkinson shall be given a like hope of remuneration, while at the same time he is to be sounded guardedly so as to ascertain what his desires are.

And so far as the aforesaid Governor Miró and the subordinate officials of that government are concerned, if they distinguish themselves in zeal and ability, their promotion and reward will be duly considered.⁴

¹ Beginning in 1787 Louisiana became the object of many colonizing schemes promoted by Gardoqui, the Spanish minister to the United States, and by various private individuals. The most prominent of these persons were Colonel George Morgan of New Jersey, and Pierre Wouves d'Argès, formerly an officer in the French army. The Spanish government, it will be observed, had already approved the project of Wouves d'Argès, when Wilkinson's memorial arrived. For some account of this colonization movement see Gayarré, *Louisiana: Spanish Domination*, 197 *et seq.*

² *I. e.* Wilkinson with d'Argès.

³ These remarks and injunctions about Wilkinson and d'Argès are based upon a letter from Miró to Valdés, January 8, 1788, Archivo Histórico-Nacional, Madrid, Estado, Legajo 3983 A.

⁴ The entire decision was approved by the king December 1, 1788, and accordingly despatched to Miró. Archivo Histórico-Nacional, Madrid, Estado, Legajo 3893 A.

II. WILKINSON'S SECOND MEMORIAL.¹

NEW ORLEANS, September 17, 1789.

Sir:

I have determined to come down to this city because I want to further the interests of Louisiana, which I could do but blindly so long as I was in ignorance of the action of the court in regard to my memorial; and because I wished to tell you about certain delicate matters which, if discussed orally, might produce better results, assuring myself at the same time of my proper course of conduct in future. The issue has met my expectations, for I have had the satisfaction of learning upon my arrival that the orders which His Majesty has been pleased to give you, with the exception of one point, are in accordance with the soundest principles of good policy, and it was with the greatest complacency that I perceived that you yourself agreed with me in the chief matters of opinion. Yet, in spite of the singular satisfaction afforded me by the private conversations I have had with you, I believe it necessary to put my reflections in writing, which you may corroborate as you see fit and send with your approval to the minister, in order that when placed before His Majesty he may act as the royal pleasure dictates.

During the past winter certain events have occurred which have upset the original plan that I submitted to you and Mr. Navarro in my memorial of the year 1787, and consequently it seemed to be my duty to see whether the arrangement could be changed so as to render its execution more certain and assured, while the advantage to the crown remained the same. Prepossessions in favor of my first opinion, attachment to my own way of thinking, and doubts of my fitness to hit upon a proper method that would assure to His Majesty all the advantages desired, and that at the same time would remove any obstacle in the way of its prosecution, presented themselves to me as arduous difficulties, and for a long time they made me irresolute and perplexed. But from force of duty, which prevailed over every other consideration, I adopted the following plan: "It will be more useful to the court of Spain to lay aside the idea of receiving the people of Kentucky under the dominion of His Majesty, and to employ all indirect means to cause the separation of this section of country from the United States, which would likely be followed by a connection with Spain to the exclusion of any other power, Kentucky enjoying the right of local self-government; and at the same time to promote emigration to Louisiana." You will recollect that in my memorial I suggested this method as an alternative in case our chief and primary object did not succeed; but to justify it I am aware that various powerful motives must coincide, which it seems proper to set forth here. Permit me, therefore, to call your attention to the circumstances of the American Union at the period when I wrote my memorial, and you will observe that its government was weak, confused, and divided, powerless

¹ A translation of the Spanish copy found in Archivo Histórico-Nacional, Madrid, Estado, Legajo 3898 B. Cf. THE AMERICAN HISTORICAL REVIEW for April, 1904, 490, note 2.

to manage or to regulate the propensities of the smallest district ; but the present [form of government] set up by the recent Federal Convention, although untried and of doubtful success, has inspired the people in general with the loftiest hopes, because, without taking into consideration the innumerable causes that are likely to afford extreme hindrance to the beginnings of this government as well as to its progress, they allow themselves heedlessly to be carried away by the novelty, and ascribe to it all the strength of the most powerful monarchy. Such are the ideas and notions that prevail with the majority of men, whose imagination both habits and education have accustomed to wander without restraint or regulation, deaf to the voice of reason or philosophy, until some private misfortune or public calamity replaces them under the sway of sound thinking and mature reflection. To this cause one must attribute chiefly the suspension [of the movement] for the separation of Kentucky from the United States, although I cannot help remarking that the long silence of the court after the receipt of my memorial gave rise to fears which [as] I explained the people felt, and led to apprehensions among various prominent men already gained over to our party, because without any response from Spain we could not expose ourselves, ignorant as to whether or not she would sustain us, to the risk of entanglement with the Congress ; for in case of a negative we were ruined, obliged to expatriate ourselves or to place ourselves under the protection of Great Britain. The truth is that if the people of Kentucky were now as unanimous and conformable as when I made my first visit to Louisiana, we would have had nothing to fear from the power of the Congress ; but unfortunately, for the reasons that I have just mentioned and the propositions of Great Britain, they are divided in sentiment and policy, and although through my own activity and earnest endeavor I have won a decisive superiority among all classes of that section of country in favor of the interests of Spain, nevertheless the open attempt to destroy the government of the United States would have exposed the leaders of the party, and any interposition of the court of Spain in their behalf probably would have produced war between the two nations. What has been said I flatter myself will suffice to justify the opinion that emigration to Louisiana should be the object to which we ought henceforth to devote ourselves, and that it will be more to the interest of His Catholic Majesty to enter into an offensive and defensive alliance with the Americans [*i. e.* the Kentuckians] than to admit them as subjects, and to strengthen this view I add the following reflections :-

I think that besides the benefits which will result from commercial intercourse, the important advantage of which Spain can assure herself by placing the Americans of the west under her dominion is to render them a barrier against the usurpations of Great Britain and the United States.

Whenever the people of Kentucky withdraw from the government of the United States, and declare themselves subject to Spain, it will behoove the dignity and honor of the king to take measures to protect them and to introduce the exercise of his own government, which by reason of the

local circumstances of a country so distant and so difficult of access would entail great expense in time of peace, which would become enormous in time of war with Great Britain or the United States: on the contrary, if the people of Kentucky were to withdraw from the United States, establish their government, and enter into a strong offensive and defensive alliance with His Catholic Majesty, these prodigious expenses would be avoided, and that section of country, bound by its own interests, would still continue to serve as a barrier for Louisiana and Mexico as fully as if it were under the jurisdiction of Spain; and the Congress would have no reason to justify any rupture with His Majesty, so that at one stroke the risk and the expense would be obviated, while at the same time the object would be as completely attained.

Emigration is what ought to occupy the position of preference over every other design, because it can be carried on by direct means without peril to individuals and without prejudice to the relations of Spain with the Congress; and if Louisiana becomes populous, as we hope, the misgivings now excited by the settlements along the Ohio will disappear, and the Spanish government may vary its policy as it sees fit according to its interests, compelling the inhabitants to subscribe to the conditions of alliance and commerce it may choose to dictate.

While the greatest exertion is being made in promoting emigration, secret and indirect agencies ought to be set at work to accomplish the above-mentioned separation and independence from the United States. To do so, the safest and most certain means is that of attracting to us the interest and regard of the influential men in the principal settlements; and for this purpose you should be authorized, under such restrictions as the court may deem necessary, to distribute pensions and rewards among the chief men in proportion to their influence, ability, or services rendered. The advantages that such a method can bring forth are unmistakable, as the courts and kingdoms of Europe have frequently found out, because, if drawn over to the Spanish interest, the men of influence among the Americans of the west will direct the course of opinion in their assemblies, and whether or not they may be able to effect the separation from the United States, they will always be in a position, by this means, to check any hostile intent upon the settlements in Louisiana, and to further emigration from among their own number. So far, by my personal efforts as well as by the influence of my friends, and with some sacrifices of my property, I have grounded these interests in Kentucky, but such a condition of affairs should not be confined to this region alone, but should be set up more or less in all the settlements along the Ohio, according as the nature of our business may require and the circumstances may afford opportunity. One may object, perhaps, that I am laying down a costly system of action, calculated to increase the fortunes of certain private individuals, rather than to further the interests of His Majesty: to which I will say that in the common occurrences of human life expenses are always proportionate to gains; that this is the usual method of ministers in political undertakings; that Great Britain now

has adopted it in its propositions made through the agency of Colonel Conolly¹; and that twenty or thirty thousand dollars, distributed annually with caution and good judgment among the Americans in their own country, may eventually save the crown twenty or thirty millions and a vast expanse of rich territories. To make this assertion clear, let us suppose that a body of 4,000 men with artillery should come down the Mississippi, and attack and capture Natchez: so long as you are ignorant of the exact number and precise objects of this warlike gathering, you would naturally apply to the captain-general [at Havana] for aid. He, if his forces allowed it, would assign 2,000 men to help you, but they certainly could not arrive in time to be of any assistance, since the blow would be dealt before the news could reach Havana. But how much will this movement of troops from Havana to Louisiana cost the court? Attempt to answer this question, and you will encounter an irrefragable argument in favor of my plan of action, and a complete answer to the objections which I suggested above to the contrary.

The designs of Great Britain, as well as the policy that the Congress may follow, alike concern His Catholic Majesty to the extent that the passing moments for working with vigor should not be lost. I do not doubt that Great Britain will continue its attention to this object, ready to seize the first advantage which presents itself. The Congress has an alternative, but it is hard to say whether it will confine its policy to the interests of the Atlantic states and abandon the western country to its fate, or whether it will strive to win the affection of the Westerners and strengthen their ties of connection with the United States. In the midst of the variety of arguments and opinions which have been offered on this question, the people are perplexed over its solution. My opinion is that the discordant and irreconcilable interests of the two sections of country absolutely prevent their real connection. Whenever the western settlements believe themselves to be in a condition to assert their independence, every measure that the Congress may take to retain this region will serve to precipitate the event that it wishes to avoid. Still, such is the thirst for power and dominion inherent in mankind, and so likely is the mental process of public bodies as well as of private individuals to encounter opposition caused by interested or ambitious projects, that I believe that the Congress may follow the latter plan; and in this case its first designs will be to check emigration to Louisiana, and to win over the prominent men of the western country to the interest of those of the Atlantic, which is the greatest obstacle and danger that we can apprehend for the success of our ideas; but as desperate maladies require desperate remedies, and the Congress will have no other alternative to restrain emigration, it will find itself compelled to render the citizens of the western settlements ill-disposed toward the subjects in Louisiana, secretly instigating the former to commit depredations on the frontier posts and settlements, which at one stroke will sever all friendly relations between the two sections of

¹ In the service of Lord Dorchester, the governor of Canada, at the time.

country. I have no doubt that in appearance the Congress will respect the representations of the court of Spain, and that it will disapprove such outrages, issue proclamations, and offer rewards for the apprehension of the perpetrators; but at the same time the power will be there to resort to a special sort of connivance at such actions, and it will allow the authors to remain unpunished. Such intrigues are common in the European courts, and the matter of the Falkland islands, although not precisely the same, is not altogether inapplicable. Nor is the danger less to be feared that they¹ may intend to assure the predominant interests of the country, for under the new government many ministers and officials are likely to be appointed for the executive and judicial departments, and undoubtedly these will be chosen with every precaution from among the citizens of most ability and influence. If the Congress has these measures in mind and makes them effective, all our projects are ruined from the beginning, in which case the Americans of the west, far from being the friends of Spain, will become her enemies; and instead of forming a barrier for Louisiana and Mexico, they will busy themselves in conquering the one and attacking the other, before the disunion from the Atlantic states takes effect; but these arrangements in view of the slow progress of popular assemblies, and under the impulse of the business that should occupy the attention of the Congress during the infancy of the new government, will require much time; to seize this interval and to take advantage of the occasion are certainly the true policy of Spain, are my longings, are my desires; and my solemn supplications are that they should not be allowed to slip, and being ever ready on my part to work or to advise, I will promptly carry out your instructions.

Under such circumstances, it remains for you to determine whether it is of the greatest interest to the crown that you endeavor immediately to anticipate the intentions of the Congress and to overthrow the present designs of Great Britain; the moment is critical and if lost will produce the most fatal consequences. It is for you, sir, to determine the extent of the power and judgment vested in you by His Majesty, but I am decidedly of opinion that not a moment should be lost in taking measures to widen and strengthen generally the influence of Spain in the American settlements of the west, and that means be adopted immediately to win over to the actual service of His Catholic Majesty the distinguished "notables" of Kentucky, which by reason of its location, numbers, and flourishing condition is the most important of the American settlements to the west of the Appalachian mountains, and consequently merits the most particular attention. Let Spain, therefore, avail herself of the favorable impression already made there, and from that section of country as a center active and intelligent emissaries can diffuse her interests and extend her influence through the vast and scattered settlements of Cumberland, Franklin, Holstein,² New River, Green Briar, Tiger's Valley, Monongahela, Alleghany, and the settlements now form-

¹ The United States.

² Holston? [Ed.]

ing to the northwest of the Ohio on the rivers Muskingum and Miami. I am the more urgent on this point because several of the ablest and most zealous partizans of Spain, especially Mr. Sebastian, are resolved to emigrate to Louisiana, on which supposition I shall lose some of my most distinguished coadjutors, it not being in my power to hinder their purpose, since in it they consult their personal interest, and I cannot offer them any recompense adequate to the sacrifice they are likely to make by staying in Kentucky; because, sir, without feeling the undue desire to boast of my own merits, I can assure you in sacred truth that the zeal with which I have prosecuted this cause for two years has led me to take steps which have obliged me to give presents, to lend money, and to increase my private expenses, which fact has placed me in the most cramped and critical of situations; unable longer to maintain my personal influence in the same fashion, and that of many who coöperate with me, unless the government assists me. You know that the shipments of tobacco which I was permitted to make have brought me but little profit, and that I have suffered considerably from the destruction of boats, from the rain, and from the poor condition of the commodity, for a large part of it was rejected. I allude to this detail with extreme repugnance, but I am resolved to explain my position candidly, without giving vain hopes — with which observation I shall say nothing further on the subject.¹

I beg of you to pardon my boldness if I discuss the points in His Majesty's royal order which you have had the condescension to communicate to me in response to my memorial of 1787. I fancy that the great art of organizing political projects is to adapt them to the genius of the people among whom they are to be realized, and in this respect the ministry has worked with the greatest success.

The prudent precaution and judicious determination of the first article, in regard to the expectation that Kentucky will have declared itself independent before admitting it to any connection, are beyond all praise, and I flatter myself that I shall employ it with special advantage for our project.

The general admission of immigrants, with the exception of vagabonds, and the toleration of religion ought to be highly approved, and the extension of immigration and the exemption from duties in favor of the actual inhabitants were absolutely necessary; but I regret to see myself compelled to disapprove most expressly the general freedom of commerce allowed subject to the duty of fifteen per cent., because it will entail the most pernicious consequences from whatever point it be examined: it is expressly contrary to all the principles I have set forth on the subject, and it will prejudice directly the great objects of emigration and separation from the United States, because the people along the Ohio will pay very willingly the fifteen per cent. in order to enjoy freely the commerce of the Mississippi, since owing to the superiority of climate and soil, even with this detraction, they can sell the produce of the

¹ Cf. below, page 763.

country more cheaply than the inhabitants of Louisiana, and for these reasons will naturally prefer to stay in their present location. So as not to abuse unnecessarily your patience in the present matter, I beg of you to recall my letter of February 12,¹ in which I discussed this point at length: this commerce, therefore, ought to be absolutely prohibited, and the sooner the better, for it deprives me of the most powerful instruments that I can use to promote the wishes of His Majesty, and I fear it will upset all our plans.

The arrangement for the granting of lands is the most favorable for populating that could be devised; but in order to adapt it to the prominent men of Virginia, you ought to have the power in special cases to increase the quantity to 3,000 acres,² because many of them have from 100 to 300 negroes, and they have been accustomed to extensive grants ever since the first settlement of North America. The remainder of the royal order I find without exception to be very suitable for the end proposed.

Since the plan of assigning lands to immigrants meets my approval, in order to justify the apparent unsteadiness of my conduct I must explain to you the motives that led me to ask Mr. Gardoqui for 6,000 acres. You are well aware that I have always been opposed to the plan of Colonel Morgan: to frustrate this project, by preventing emigration to his settlement, which I regarded as dangerous to Louisiana and unbecoming the crown under the conditions of which he boasted, was one of the objects of my solicitude; to assure a refuge and a settlement for myself and friends, in case of misfortune, was the second motive; but the most important consideration that drove me to it was that of engaging my political associates in Kentucky in some interesting affair likely to show up their principles and opinions, which would serve as a guaranty of their faithfulness whenever tested or jeopardized, this being at the same time a recompense for the aid they had afforded me. This was the more necessary because I knew very well that one of these gentlemen, Mr. John Brown, would be our representative in the new Congress, in which it was indispensable that I should have a confidant, and as he had full knowledge of our ideas, prudence demanded that I should make clear on my part the obligation which held him to silence and fidelity. When the position in Congress was offered me by the people, I declined it because my presence in Kentucky was very necessary for our purposes, and consequently it was given to Mr. John Brown. This gentleman

¹ See Gayarré, *Louisiana: Spanish Domination*, 223 *et seq.*

² The "arrangement for the granting of lands" was that approved by the Spanish government in the colonizing project of Wouves d'Argès. Cf. above, p. 749, note 3, 750, note 1. The orders despatched to Miró in this connection prescribed that no more than 300 *fanegas* should be allotted to one settler. Archivo Histórico-Nacional, Estado, Legajo 3893 A. Valdes to Miró, August 23, 1787. Miró, of course, had informed Wilkinson of the undertaking of Wouves d'Argès, and the official correspondence of the time shows that the American speedily superseded the French officer as an emigrant agent for Spanish Louisiana.

³ Cf. page 750, note 1.

immediately after his election to the Congress intended to withdraw from the connection he had formed with us, in his argument with me making use of the strong reason of the incompatibility of keeping a seat in the Congress while he was negotiating with the Spanish minister for a settlement in Louisiana. This step clearly proved how excellent my precautions had been, because if he had not been previously pledged along with us to submit the request to Mr. Gardoqui, he would have deserted our cause and divulged our confidences without fear of misapprehension or of public censure. I protested vigorously against his proposition, and appealing to the critical situation of our section of country, to the duties with which we were bound toward it, and to the solemn obligation that held us together, I drew a lively picture of the consequences that would necessarily attend union, fidelity, and perseverance, depicting in contrast the terrible spectacle that would accompany disunion, treachery, and dejection of mind. After some difficulty he resolved to adhere firmly to our plan, and agreed to send me regularly all the proceedings of the Congress which might affect our cause.

For my part, I would keep silent, although you have asked me to state my desires, if I were not in such critical circumstances: I left the United States voluntarily, without being sure of admission by Spain; I have rejected honors and rewards offered me by Great Britain, and declining the preëminence with which the United States paid me court, I have employed my time, my property, and all my faculties in promoting the interests of the Spanish monarchy; by reason of this conduct I have exposed myself to the wrath of the American Union, without knowing whether my person would be protected, whether I would be indemnified for the loss of my property, or whether His Catholic Majesty would compensate me for my labors. I am not discontented, because I know it was very proper that I should prove clearly and unmistakably the integrity of my principles and my faithfulness, before I could set up any pretense to the favor of the king; but I flatter myself that the solemn obligations which I owe to my wife and three small children will justify the petition which I now submit to the munificence of His Majesty for some settlement upon me that will compensate for the actual sacrifices I have made, and safeguard me against any misfortune I might suffer from the resentment of the United States, where my property lies. You have seen the proposition made me by Lord Dorchester through the medium of Colonel Conolly, but I have not acquainted you with the extent of his offers, nor shall I do so lest I be accused of exaggeration. I have assured you that I recently declined the election to the Congress, and from motives of policy I turned the election in favor of Mr. John Brown. This, sir, is a fact that I can prove; what more can I say of myself? I abhor the idea of venality, while modesty, delicacy, and self-esteem all forbid that I should set an estimate upon my own worth. Accordingly I beg your permission to refer my circumstances to the justice and goodness of His Majesty, with the remark that, having been reared in the profession of arms, I prefer a military commission, because I know that

the force of my genius inclines to the science of war, and that in this capacity I can afford the strongest proofs of fidelity, loyalty, and zeal ; to which I will add merely that in case of death the allowance made to me should go to my wife and children.

In my letter of February 12,¹ to which I most earnestly beg you to refer, I described the proceedings of the people of Kentucky up to that time ; later they chose a new convention, by virtue of a law of the state of Virginia, with the power to reconsider the subject of separation and to take the measures necessary to obtain its admission to the Union as an independent member of the federal body, if they should judge the same advisable. This convention was elected in April and was to meet on the twenty-fourth of this month and continue in session till January 1, 1791. But as the general tenor of the news I received from the Atlantic states during the months of March, April, and May led me to believe that the Congress had divined our policy, and that it was greatly alarmed over the measures taken by Great Britain and Spain in reference to Kentucky and the western regions, it became doubtful whether its fears and apprehensions would not cause it to admit us into the Union, should we renew our request to this end ; hence I judged it advisable to change our policy, and consequently I took measures with my friends to forestall such a request, because our admission would reinforce the bonds of the alliance, and when once we had become part of the federal pact, our withdrawal would be made more difficult and more susceptible of objections in the eyes of mankind. Having declared the separation from Virginia necessary and impressed this idea on the minds of the people, it is our intention to remain in the present condition until circumstances appear that will justify our rejection of the government of the Congress ; and in this case, nothing can aid us so much as the promise of protection and support which His Majesty has deigned graciously to give. I shall leave within a few days, and going by a route full of dangers and difficulties through the midst of Indian nations, I hope to arrive in Kentucky within sixty days. As soon as I arrive and can prepare my friends for the occasion, I shall present myself at the convention and let the members know of the kind and liberal intentions of His Majesty ; and if the circumstances are favorable, I will seize the moment to propose and force along the separation desired ; but if anything should hinder our purpose at this juncture, I will take the proper measures and await a more favorable occasion. At the same time I will devote all my attention to the plan of emigration, on which I shall labor incessantly, encouraging it throughout the western settlements, for which object it will be essential for me to send confidential agents from Kentucky to the respective settlements elsewhere in the wilderness, who will scatter the inducements offered to emigrants, proclaiming the advantages enjoyed by the inhabitants of Louisiana, making known the friendly disposition which His Majesty graciously displays in favor of the Western Americans, and so as to draw over to our

¹ Gayarré, *Louisiana : Spanish Domination*, 223 *et seq.*

interest two or three prominent men of the most select kind in every district. It is superfluous at this point to show that the execution of these indispensable arrangements will mean considerable outlays, because an individual cannot be found who will serve the public gratuitously unless his personal safety is immediately concerned in it, and you well know from the reasons above mentioned that it does not lie in my power to meet the expense ; in order then to realize the intentions of the court, to further the prosperity of Louisiana, which depends upon its being peopled, and to promote the separation of Kentucky from the United States, I feel confident that you will believe yourself sufficiently authorized to advance me the necessary amount, which I should estimate at 7,000 dollars at least, for I must assure you that without this aid you cannot expect from me anything other than prayers and good wishes, since my actual plight is so critical and embarrassed that it will restrain the vigorous efforts of my being, and will bring upon me an infinite amount of labor to support my family and take care of my private affairs.

Thus having given a glance, sir, at the past and examined the present condition of our political plan by looking into the causes that might be of prejudice to it, let us carry our ideas forward and see what political system is best for hastening emigration, winning and securing the constant affection of the emigrants for the crown, preserving the province in tranquility, and safeguarding it from any foreign invasion. I will consider this important object collectively, because its close connection and dependence prevents its treatment in detail. The great inducement for emigration is that tobacco may find a market in Louisiana ; this important matter ought to be carefully arranged so as to excite emigration, removing at the same time all possible causes for future discontent or complaint : to do so His Majesty should enlarge the quantity purchased every year to 10,000,000 pounds ; this will satisfy the liveliest hopes of the Americans, and since it would be to their interest to emigrate without loss of time, the province would gain a huge increase in subjects within ten years. Indeed for the success of our plan it is indispensable that the purchase of tobacco be increased immediately, because if the present harvest, which greatly exceeds the two millions [ordinarily bought], be not taken, complaints and clamors will be aroused, which, when they reach the American settlements, will check the emigration at the outset and destroy our nascent projects.

I shall do all in my power to further the populating of Natchez, preferably to that of L'Auce à la Grasse, for the many obvious reasons above mentioned ; just the same, I am firmly of opinion that the latter post is where the large armed force of the province ought to be stationed ; a respectable force planted so near the Ohio will inspire confidence in our American friends, and lessen their apprehensions of the power of the Congress : a garrison of 200 men with an armed vessel manned by fifty sailors will amply suffice at present to protect the lower settlements against any sort of outrage or any band of marauders from whom an attack might be feared. But, sir, no time should be lost in assembling

and arming the militia by companies, battalions, and regiments officered by the most respectable of their countrymen; which fact will, at the same time, appeal to the self-esteem and honor of the better class of men to uphold the government, and will tend to abolish the distinction among subjects, which is always poor policy and often dangerous: when such measures have been judiciously taken, you will have a respectable force always ready to work in combination with the regular troops.

But, sir, while these arrangements are sufficient for our immediate convenience, it is our duty to look forward to the immense population that is likely to cover the banks of the Mississippi and its tributary streams, and for the purpose of assuring the permanent welfare and maintaining the peace of the empire, we ought to measure our designs by a proportionate scale. Powerful indeed is the consideration. At present, the products of Louisiana and the American settlements are of little account, but in a few years the scene will change. When all this vast and fertile extent of country to the west of the Appalachian mountains, full of rich materials, is about to flood Europe with the abundant variety of its products, what are likely to be the consequences, if the commerce of Louisiana continues in its present condition? The tobacco, hemp, flour, rice, indigo, cattle, pork, iron, copper, etc., etc. — who will take them, or what will become of them? The royal treasury cannot consume all of them; the farmer will not effect the exchange of his products with the merchant for his goods; the latter will not be able to pay him at reasonable rates in specie; under which circumstances the empire may be tormented with convulsions and dismembered by revolutions, and the cause of all these calamities, if the matter be well investigated, will be found to have started from the impediments entangling our commerce. Our navigation being confined at present to Spanish vessels, and our commerce to a few Spanish ports and islands, rivalry, which is the vital principle of commerce, is dead, and the immediate consequences follow; our merchandise in dry goods is now sold at from 75 per cent. to 150 per cent. more than in North America, and the freightage of one cask of tobacco from New Orleans to any part of Europe costs as much as four casks from any part of the United States to the same place. Permit me to observe that this lack of freedom of commerce I fear will be extremely injurious to the people of Louisiana; nor will the province ever attain the wealth, importance, and splendor for which it seems fitted until this cause be removed. Still, how simple is the remedy, sir, for all these evils so stupendous: let New Orleans be a free port under all the necessary restrictions favorable to the Spanish marine, and these threatening calamities will disappear; the transportation of tobacco will be restricted to Spanish vessels by a moderate freight-charge, and Cadiz will be the general depot for its receipt, from which port it may be exported to any part of the world, and in less than fifty years all Europe will depend upon Spain for this article; because, as soon as a free commerce along the Mississippi is established, the cultivation of tobacco will be shifted entirely from the eastern to the western part of America, from the exhausted lands of the

Atlantic to the fertile regions of the Ohio and the Mississippi. What a mighty source of revenue is offered to us here ! In all other respects, excepting perhaps the moderate tonnage duty on foreign vessels, commerce will be free, retaining the present customs-duties on the importation of manufactures and commodities of Europe and the Indies, and our own exportations without restriction ; then our products will increase, and merchandise will fall in price ; the farmers and other inhabitants will get the proper recompense for their labor, and can supply themselves with the surplus that may be needful for their maintenance under conditions as favorable as the citizens of the United States. Nothing can serve more vigorously to bring about the complete disunion of the eastern and western sections of America ; and the right of internal navigation being reserved exclusively by Spain, the Mississippi, the Ohio, and the rivers emptying into them will be covered with Spanish vessels manned by Spanish subjects. A vigorous race of men well armed and equipped will erect an impenetrable barrier against all our enemies with very little expense to the crown.

The arrangements in regard to these principles set in order by the thorough understanding of our minister will produce the most important results. New Orleans will become the greatest emporium of commerce in the known world, because here the supplementary millions of inhabitants are likely to disembark, and here the merchant and the adventurer can find all the products of North America in superior quality, and in the greatest abundance ; the revenues of Spain will follow the increase in agriculture and the extension of commerce ; and I am persuaded that I do not exaggerate when I say that in less than a century the crown of Spain will derive more revenues from the single port of New Orleans than will the Congress of the United States from the commerce of all the Atlantic region.

Oh, sir, had I the eloquence of an angel, all my force and fire would be consumed in impressing upon the ministry this new but needful doctrine. Louisiana, important in itself when considered as the frontier of Mexico, cannot be overestimated ; with this province lost to Spain, the Mexican kingdom will be stirred to its very depths in less than fifty years ; in vain may Spain populate its dominions in Louisiana ; in vain will she endeavor to win over the Western Americans if she cannot secure them the sale of their products or furnish them what they need on the same terms as the other nations, because if they cannot sell or exchange the fruits of their industry, their situation will be the same as that of the most rigorous exclusion from the Mississippi, and the same consequences must ensue. I fear that this language may not be acceptable to the ministry ; rarely are disagreeable truths well received nor those which prophesy misfortune well recompensed ; but, sir, acting in accordance with the principles I profess, I feel absolutely bound by all the ties that govern men of honor throughout the world to give my opinion with candor, and to offer the advice which I believe best calculated to further the immediate objects of the sovereign, and to afford permanent security

to his extensive dominions against all possible injury. For the meditating mind no study should appear more important or more rational than that of avoiding misfortunes and preventing evils, however remote ; at all times the mind of the prudent, the treasure of the rich, and the faculties of the powerful have been employed to these ends. It is true that at present we are in a state of profound calm, and the dangers are seen only at a great distance, but let us not be deceived by appearances ; black clouds may soon gather over the heads of those whose sky is now most brilliant, and in the midst of the deceitful calm they enjoy, the tempest that is to overwhelm them has perhaps already begun to brew.

In the royal decisions I notice that His Majesty has graciously deigned to promise the people of Kentucky all the favor, support, and advantages consistent with his royal goodness, in the situation in which they find themselves, conformable to the interests of his kingdoms ; allow me, therefore, through your instrumentality to beseech him for a grant of arms and ammunition in favor of this country¹ which will be of use whenever the circumstances demand it. As soon as we shall have determined to withdraw from the government of the United States, we ought to have arms to defend ourselves against the Indians or any other enemy that might purpose to interfere with our measures, and we do not know where to find these supplies except in New Orleans or at the Strait.² If the court decides to grant this request, I should recommend that the arms and ammunition destined for this purpose should be sent secretly to L'Ance à la Graise, from which in case of necessity they could be taken to Kentucky in a few days.

Permit me to make a few observations in regard to a personal matter, and I will conclude this long piece of writing. You will recollect that at the beginning of this affair I believed it highly important to convince the people of the Ohio settlements that the transportation of merchandise from New Orleans could be made at a lower cost than from the Atlantic seaboard across the Appalachian mountains, and you can certify that in order to establish this fact in particular I invested 14,000 dollars in merchandise purchased here for the Falls of the Ohio. Now I must tell you that the trip was made, but on account of the inefficiency of the captain the cargo suffered considerable damage, which in turn caused me great loss ; still what I claimed was clearly demonstrated to the satisfaction of the entire section of country, so that, sir, at my own private expense an important political point is established. I have suffered greatly in the experience ; nevertheless with the effects saved I bought two hundred casks of tobacco payable from the harvest of this year, which I shall receive on my return to Kentucky. If, by reason of the restriction under which you have lain up to the present regarding the purchase of this commodity, you cannot have them bought on behalf of the royal treasury, I shall lose all of my principal ; accordingly I hope that, in view of the fact that, as I say above, I undertook this business to impress the people of Kentucky with the utility of dispensing with the commerce of

¹ Kentucky.

² Detroit.

the Atlantic states, you will promise me forthwith to receive the tobacco at the proposed price of eight dollars a hundred pounds, with which I can make up for my expenses at least, believing as I do that this cannot be prejudicial in any way to the king.

Allow me to stop my reflections here, and to bring to an end two years of assiduous labors for the cause of His Majesty. I shall be very happy if these observations appear to possess the soundness with which I wished to form them, and still happier if they produce the effects which I anxiously desire; but whatever may be their merit, I am sure of the purest intentions when I prefer the service of real advantage to that of merely pleasing. I have laid aside the language of pomp and adulation, and have striven to direct myself to one who may understand me simply and truly.

I must beg you to favor me as soon as possible with a reply to those points which demand it, for I earnestly wish to return to Kentucky, where my presence is very necessary at the present juncture, while the convention is in session. I have the honor to be, with the greatest respect, your most obedient and humble servant

JAMES WILKINSON

Brigadier Estevan Miró, governor and intendant of the provinces of Louisiana and West Florida.

III. JAMES WILKINSON TO GENERAL ESTEVAN MIRÓ [Giving a list of persons to be pensioned].¹

NEW ORLEANS, September 18, 1789.

Sir:

I have had the honor to receive yours of to-day, in reply to my reflections of the seventeenth instant, and I shall faithfully carry out your instructions. Enthusiastic as I am over all my operations, you may confide absolutely in my putting into practice a constant activity and zeal in behalf of the cause I have embraced, without being idle at my post, and always attending to the duties of a vigilant and faithful sentinel.

Throughout my life I have abhorred venality, hence I own to some misgiving lest the aid² I have requested may subject me to the suspicion of possessing a sordid or avaricious spirit. In fact no circumstance, other than that of real necessity, could have induced me to proffer such a plea; but, finding myself actually under considerable expense by reason of certain loans and extraordinary private outlays that reach the sum of twelve thousand dollars, and which I have judged necessary to make sure of my friends and promote our cause, it has been impossible for me to go ahead and satisfy your hopes as well as my own desires without support.

¹ Spanish translation in Archivo Histórico-Nacional, Madrid, Estado, Legajo, 3898 B.

² *I. e.*, of seven thousand dollars asked for in the preceding communication to Miró, as a fund upon which Wilkinson might draw in furtherance of the general scheme, and in reimbursement of previous expenses connected with it. Cf. *infra*.

I am entirely content with the receipt of the seven thousand dollars under the conditions you propose, but I must ask you that no one outside of the confidential servants of the crown shall know of this loan. Should this circumstance leak out, it might soon be brought to the notice of Congress, and by arousing the jealous fears of that body, expose me to great embarrassment.

With the greatest respect, I have the honor to be, sir, your most humble and obedient servant
JAMES WILKINSON.

P. S. Enclosed you will find the list you ask for.

J. W.

Brigadier General Estevan Miró.

[*Enclosure* :] List of the prominent men ("notables") of Kentucky who should be pledged to the interests of His Catholic Majesty, with explanation of the character of each.¹

		Dollars.
These are my confidential friends and support my plan.	Harry Innes, Esq., attorney-general and counselor at law; gets 500 dollars a year from the state of Virginia.	1,000
	Benjamin Sebastian, lawyer from Virginia. ²	1,000
	John Brown, member of Congress.	1,000
	Caleb Wallace, one of our judges; enjoys a thousand dollars a year from the state of Virginia.	1,000
	John Fowler, a zealous advocate of our policy, and a man of influence.	1,000
These favor separation from the United States and a friendly connection with Spain.	Benjamin Loghan [<i>sic</i>], recent commander of the militia.	800
	Isaac Shelby, a man of fortune and of great influence.	800
	James Gerrard, ³ colonel in the militia, and a man of influence.	800
	William Wood, an official of much power.	500
These favor separation from Virginia but do not carry their views any further.	Henry Lee, colonel in the militia.	500
	Robert Johnston, colonel in the militia.	500
	Richard Taylor, a man of influence.	500
	General Lawsen arrived in Kentucky just as I was leaving it. He is a gentleman of respectable talents and military knowledge. He is my friend and will adopt our policy.	1,000
	George Nicolas, Esq., arrived recently in Kentucky. He has not entered into our political concerns. He is one of the wealthiest gentlemen in	

¹ The copy in the Archives of the Indies is here given. The chief points of verbal dissimilarity from that in the state papers at Madrid will be noted in the proper places.

² The words "from Virginia" are omitted in the Madrid copy.

³ Garrard? Cf. Green, *The Spanish Conspiracy*, 77. [ED.]

Some of these have British leanings; some favor the interests of Congress; some are for separation from Virginia, others are opposed to it. All are working without union or concert; but they are our enemies, and hence it is necessary to win them over.

the country, of great ability, and it will be a great point to win him over to our political views. I have been his friend for some time,¹ and I think that he will concur..... 2,000

Alexander Scot Bullet,² a man of ability and fortune, but very changeable; still he will be of use to our cause. 1,000

Thomas Marshal, a surveyor..... 1,000

Humphrey Marshal, a villain without principles, very artful, and could be very troublesome 600

George Mutter,³ a judge; gets a thousand dollars a year from Virginia..... 1,200

Green Clay, a private individual possessed of some influence..... 500

Samuel Taylor, idem..... 500

Robert Caldwell, colonel in the militia..... 500

Richard Canderson,⁴ a popular surveyor, but a person of no ability..... 1,000

17,700⁵

It would unquestionably be good policy to gain men of influence and ability in the other settlements along the Ohio and the rivers that flow into it. Your excellency should have discretionary powers for this purpose as well as for diminishing, increasing, taking away, or granting stipends, according to the proportion that the conduct of the agents may deserve or the interests of the king require. The two federal judges and the officials to the northwest of the Ohio, who are in charge of the settlements along the rivers Muskingum and Miami, are suitable persons for the object first named, but as each of these gets a salary of a thousand dollars a year, I should judge two thousand dollars necessary in order to alienate them from the United States. In most cases I would make a conditional contract, that is, pay such and such a sum for such and such services.

JAMES WILKINSON.

3. *Two Letters from George Farragut to Andrew Jackson, 1815-1816.*

THE interesting letter of Admiral Farragut printed in the REVIEW of April, 1904, led me to glance over certain years of the

¹ The rendering in the Madrid copy is; "He is my intimate friend."

² Colonel Alexander Leatt Bullit? Cf. Gayarré, *Louisiana: Spanish Domination*, 209. [ED.]

³ Mutter? [ED.]

⁴ Richard C. Anderson. Cf. Green, *Spanish Conspiracy*, 77; Brown, *Political Beginnings of Kentucky*, 194. [ED.]

⁵ The total should be 18,700.

Andrew Jackson Papers, now in the Library of Congress. I was rewarded by finding two letters from the admiral's father, which add somewhat to our information concerning him, although they give a different impression of the service he rendered in the southern campaign. When compared with the statements in the admiral's letter, they illustrate the danger of accepting family traditions in such matters. The rank is that given in the indorsements on the letters.

WORTHINGTON CHAUNCEY FORD.

I. "CAPTAIN" GEORGE FARRAGUT TO ANDREW JACKSON.

MOBIL March 24, 1815

Dear Sir

I regret not been with you, at New Orleans, but however, I did my duty on this quarter, for two months, I have been employed, by General Winchester, as Spy from Pascagola to pas cristian, and den I come to this place, and becos I had a public Horse, did no allowed me, but twenty Dollars, per month, I underwent a great deal of fatig, in that time, from the 15 day, of December, to the 15 day of February, and I both [bought] a public Horse, he dyd, so it his that my pay dont pay for the Horse, and ten Dollars that I had from Capt Fils, the quarter master, so it his that I am indated to the quarter master, sixteen Dollars, bises my pay, so I go hom, with out money, nor provision, and without horse to plow my corn, or to geder my Catlet, I mos go to New Orleans in a few days to git my friends to asist me in giteen provision until I can sell som of my stok or work hard for it, if I could git, eny thing to do in, the line of my profetion, on this cost, I would be glad, if dont I chell be oblige to lebour hard, to suport me, and my smol childrens.—

my respects to your Lady and friends

I am Respectfully your ob^t Servant

His Excellency

GEO^r FARRAGUT

Major General

Andrew Jackson

II. "PRIVATE" GEORGE FARRAGUT TO ANDREW JACKSON.

PASCAGOLA, Ma'ch 30th 1816

Dear Sir

I hope this will met you well, I write you this, to let you no, that I am in the land of the living and working ard, to mak some thing to sup-sist on. I have totat rels [toted rails] on my sholder, until my sholders could ber no mor, owever my fences are all don, but now I must tak the owe [hoe], to plant my corn, for I have no Horse, and my catlet I must hont on foot, — God'bles you and Seft Return to your famely.

I am Respectfully Your ob^t Servant

GEO^r FARRAGUT

Major General Andrew Jackson.

REVIEWS OF BOOKS

Manuel de Bibliographie Historique. Deuxième Fascicule. Par
CH.-V. LANGLOIS, Professeur-adjoint à l'Université de Paris.
(Paris : Hachette et Cie. 1904. Pp. 241-623.)

THE first part of M. Langlois's indispensable manual having been devoted to the more strictly bibliographical aids to historical study, the second part proceeds to treat of the other tools which the historical investigator has occasion to use, namely, "collections of documents, and repertories of words, names, dates, facts, and data of every sort". This second class of materials, however, does not admit of as satisfactory delimitation as the first; these collections have themselves a history, which is virtually that of modern historical erudition, and a general critical guide to them is obviously an enterprise far too vast for any individual to undertake. What M. Langlois has given us is really a rapid survey of the history and present organization of historical studies in the principal modern countries, accompanied by brief notices of the great collections and by abundant bibliographical and critical references. Nothing of the kind has hitherto been attempted, except for certain limited portions of the field, and a comprehensive, well-ordered, and accurate manual of this sort will be welcomed not only by the student in search of special information, but by all who are interested in the development of historical science.

About one-fourth of the volume is occupied with the period anterior to the nineteenth century. While admitting that the ancients and the men of the middle ages were generally uncritical, M. Langlois does not share the popular opinion that they were in a state of intellectual infancy characterized by entire lack of the critical sense. The philological criticism of the Alexandrian and Pergamene schools showed a high degree of skill and discernment, and although ancient and medieval historians did not consciously formulate the principles of historical criticism, the best of them often applied these principles unconsciously with considerable discrimination. The greatest disadvantage of the scholars of early times was a material one, the lack of means of communication and comparison, and the absence of those manuals of "condensed and classified experience", of that "enormous stock of demonstrated truths" which modern scholarship holds conveniently and securely at its disposal. Still, such manifestations of the critical spirit as appeared in the middle ages might have been suppressed by the complete triumph of scholasticism or of mysticism, from which Europe was saved by the Renaissance. In many ways, however, the Renaissance contributed less than did the Reformation to

the growth of historical studies, historical criticism being in a very real sense, in Renan's phrase, the offspring of Protestantism. An interesting discussion of the influence of these movements upon the study of history is followed by a chapter on the seventeenth and eighteenth centuries, in which Langlois sketches the history of classical philology in this period and gives a good account of the work of the great religious corporations and of such individual medievalists as Du Cange and Muratori.

When he reaches the nineteenth century, preëminently the epoch when the greatest interest has been taken in the study of history, the author is forced by the extent of his subject to give up the chronological order of exposition and to confine himself, after an excellent summary of the general aspects of the period, to an account of the principal historical enterprises in each important country, whether carried on by the government, by learned societies and universities, or by private individuals. France naturally receives most attention, but Germany and Austria are not slighted, and the other principal countries of Europe are treated clearly, if somewhat more briefly. International agencies, such as religious orders, historical congresses, and the new association of academies, are also noted, but the British colonies are allowed only a single page, and Latin America is entirely omitted. The method of treatment throughout is sober and concise, as befits a bibliographical work, but there are many instructive observations by the way, and the concluding summary of the present state of historical studies is notably clarifying. The volume ought to prove practically useful, especially in a comparatively new country like our own, by suggesting, through the experience of other countries, the kinds of historical enterprises that most need to be undertaken and the most effective methods of organizing and conducting them.

In the eight pages which he gives to the United States M. Langlois labors under the disadvantage of dealing with a wide field where conditions are rapidly changing and of being obliged to obtain his information entirely at second hand. Some errors and omissions are to be expected, but on the whole the statement of the condition of historical studies in America is reasonably accurate and singularly free from prejudice or misunderstanding. The account of what the Federal government has done for history is confined to a reference to Mr. Clark's article of ten years ago and a confused quotation from it regarding the *Rebellion Records*, and nothing is said of the historical publications and enterprises undertaken by the several states. The work of the American Historical Association is given its due importance, and even exaggerated, as the Association is credited with the founding of *THE AMERICAN HISTORICAL REVIEW* and with performing in relation to local historical societies exactly the function which the *Comité des Travaux Historiques* was originally designed to perform in France. The local historical societies are dismissed with a bare mention of the three oldest and with no notice of the work of the newer state-supported societies. Among the national societies more or less historical in character we miss the American Economic

Association and the Modern Language Association (as well as the newly founded Political Science Association), and among university publications, the *American Journal of Theology*, the *Journal of Political Economy*, the *Quarterly Journal of Economics*, the *American Journal of Philology*, *Modern Philology*, and the *Bulletins* of the University of Wisconsin. The schools at Athens and Rome are duly recorded but not the school at Jerusalem.

As regards American historical work in general, M. Langlois declares it decidedly promising, but so far rich only in works on American history, "treated mainly from a religious, economic, or sociological point of view"; whereas it can hardly be disputed that it is the constitutional, political, military aspects of our history which have received most attention. "The United States", he adds, "have made very few contributions of the first rank to the history of classical antiquity and medieval Christendom", the case of Mr. Lea being quite unique. As far as classical history is concerned, the reproach is entirely just. In spite of all the advantages of time, money, and special privileges which the study of the classics has enjoyed in America, it is extraordinary how little has been done to stimulate interest in Greek and Roman history and how small have been the American contributions to the world's knowledge of ancient history and life. The neglect of ancient history in our colleges and universities is, when all the circumstances are considered, one of the most serious charges that can be brought against American scholarship. As regards medieval history the criticism is not quite so well-founded. Every one will admit that Mr. Lea stands in a class by himself, but there is at least one field in which American scholarship has been steadily productive, namely, the institutional, legal, and economic history of England in the middle ages. If we bring together the *Essays in Anglo-Saxon Law* and the books of Bigelow and Thayer, Gross's *Gild Merchant* and lesser monographs, the investigations of G. B. Adams, Baldwin, and Lapsley in the field of medieval institutions, and the studies of Ross, Allen, Andrews, and half a dozen more recent writers upon agrarian conditions — not to mention research in the early history of English literature — and if we remember also that the best bibliographical works on English history are due to an American, we need have no reason to be ashamed of the results in this field. The total does not counterbalance the work of the country which can claim Gneist, Pauli, Brunner, and Liebermann, but it certainly outweighs that of any other continental country, France not excepted.

CHARLES H. HASKINS.

Histoire Ancienne des Peuples de l'Orient. Par G. MASPERO. (Paris: Hachette et Cie. 1904. Pp. 912.)

MASPERO's work has long been accepted as a classic. It requires a rare combination of qualities to write a trustworthy and readable history of a period embracing many centuries and many different peoples; Maspero moves with ease through the mazes of his material, massing it into a unity and creating a story of real life in which the personages are nations.

This unity of presentation is made possible by the intimate relations that existed between the nations treated of, Egyptians, Babylonians, Assyrians, Phœnicians, Hebrews, Medes, and Persians. It was, perhaps, this sense of unity that led Maspero to give the title *Ancient History of the Peoples of the Orient* to a book that omits Arabia, India, and China; the history of these latter peoples is, however, not unimportant. The successive editions of Maspero's work have kept pace with discoveries in various fields; the present edition, for example, the sixth, has a notice of the important Code of Hammurabi, which was discovered about two years ago. The last instalment of the English translation, edited by Professor Sayce, appeared in 1900, the other parts being several years earlier: in the last ten years the original work has been greatly enlarged. The recent elucidations of Egyptian history are due in no small measure to the researches of Maspero himself; in this field he is an acknowledged master. His opinions as to Egyptian origins have not undergone serious modification. He still holds to the close relationship between the Egyptian and the Semitic languages, and therefore to the existence of a primitive Egyptian-Semitic people. In regard to certain questions relating to the prehistoric period he is non-committal. Did the first Egyptians enter their land from Asia or from the Mediterranean African coast? Maspero declines to decide between the two routes. He gives, however, a long account of predynastic Egypt (based on recent excavations), and insists on the remarkable maintenance of two types, the peasant and the aristocratic, both of which, he thinks, may be seen to-day in Egypt. The traditional first king, Menes, till recently a somewhat shadowy figure, has now become real; his tomb has been discovered, and with him several other kings, whom Maspero, of course, takes as historical without, however, accepting Petrie's attempt to arrange them in historical order. Maspero is equally cautious in his treatment of the early religion of Egypt, giving no opinion concerning the origin of the cults of Osiris, Ra, Amen, and the others; he holds, what is obviously the right view, that originally each district had its own deity, who was supreme in his own domain — the pantheonic system was the result of political unification and moral and religious reflection. A point of special interest in Maspero's account of the religious history is his view of the revolution effected by Amenhotep IV., who devoted himself to the worship of the disk of the sun (*aten*). This has been represented as a monotheistic movement due to Semitic influence; it was in fact neither purely monotheistic nor Semitic, but a natural though ephemeral Egyptian development in the direction of unification.

In Egyptian history Maspero is an authority of the first rank; in earlier Babylonian history he is dependent on the researches of others, and in doubtful or disputed points the views he gives are those of the writers he follows. Thus for the earliest historical kings (p. 188) he adopts the date B. C. 4300 without stating that there is difference of opinion on this point among cuneiform scholars, some of whom put the earliest known king 800 years later; the chronological statement of Nabonidus,

accepted by Maspero as authoritative, is regarded by many as doubtful; Babylonian history is hardly definitely determinable before B. C. 3000. Another doubtful point is the origin of the African name Cush, a name that in the Old Testament is given both to the region south of Egypt and to a part of the Tigris-Euphrates valley (Nimrod is called in Genesis, X. a son of Cush). Maspero regards the African name as brought over by immigrants from Asia; this construction, though defended by some Assyriologists, is open to objections, and cannot be regarded as historically assured. However, the account of Babylonian history is in general excellent (thus the term *patesi* is correctly explained as meaning "prefect" or "dependent kinglet"); only, too much importance is attached to the "triads" in the religious system. In the later periods the historical facts are fairly well assured, and, with a few exceptions, Maspero includes the results of the most recent investigations. The Hebrew history is skilfully interwoven with that of the surrounding peoples. A singular though not very important inaccuracy occurs on page 792: it is there stated that some of the nobles of Jerusalem were exiled by Artaxerxes Ochus to Hyrcania, and in a foot-note reference is made to Josephus's *Antiquities*, xi. 7, 1; but Josephus's statement (which does not mention exile) refers to an entirely different affair, and the authority for the exile is the *Chronicle* of Eusebius.

C. H. Toy.

The Political Theories of the Ancient World. By WESTEL WOODBURY WILLOUGHBY, Ph.D., Associate Professor of Political Science in the Johns Hopkins University. (New York: Longmans, Green, and Company. 1903. Pp. xiii, 294.)

IN this book Professor Willoughby has made an important addition to the literature of the history of political theories. In English hitherto, except for numerous articles in the different journals, we have had only two or three works that need to be mentioned—those of Pollock, Dunning, and Merriam. Dunning's work, comprising so far only one volume, which is devoted to ancient and medieval times, might be supposed to render this history by Professor Willoughby superfluous, but the two books, although both dealing with the ancient theories, really occupy different positions. On the whole Dunning is only the objective historian, limiting "himself quite strictly", as Professor Willoughby points out (preface, xii), "to an account of political theories as they are to be found crystallised and explicitly stated in literature". Dunning is blind neither to the "contemporaneous facts of public life . . . of which the writings were born" nor to "the practical lessons which their authors endeavored to teach", as Professor Willoughby also recognizes, and this, as really only a part of the character of an objective historian, is both the merit and the defect of his work. Professor Willoughby, on the other hand, seeks beyond the bare facts, whether of life or theory, "the political presuppositions involved, . . . the political ideas implicit in the systems of governments and laws of the times and peoples consid-

ered", and this in its turn shows the standpoint from which the present review must be written. Does Professor Willoughby really, as he claims, "supplement rather than duplicate" Dunning's earlier work? Also, does he give us a book that, to use his own words, really "resembles in some respects a philosophy of history"?

The answer is an affirmative one, at least so far as the supplementary character of his book is concerned. Professor Willoughby has justified his book. Yet he has not accomplished all that his readers might reasonably expect. Of course, unqualified answers, negative or affirmative, are not at all in good form at the present time, but while Professor Willoughby has produced a decidedly valuable book for students of political theories, supplying much toward what has hitherto been lacking, there are several specific counts that can and must be made against the success of his undertaking. Three of these may be mentioned here, one bearing upon the general character of the book, the other two upon the treatment of special subjects.

Thus, in the first place, the author even in a limited sense cannot be said to have written a philosophy of history. Perhaps for "practical purposes" a professional philosopher is hardly a fair judge on this point, but I very much doubt if even the resemblance promised will be apparent to many readers. Most will be left with only a very hungry satisfaction. Few will and none should seek an abstract logic of history, but all have a right to expect more connective paragraphs or, rather, more connective ideas. It is true that Professor Willoughby is free from the bondage of dates, but he is not altogether free from the idea of times as bounded by them. Dates do not make real history, nor does mere indifference to them insure an escape from the unreal history that dates do make. Thus Professor Willoughby has certainly identified men and theories with the life of their times; he has made the identification fairly vital; he has shown in particular what being a Greek or a Roman meant politically and how the different theories grew as plants out of the soils which Greek and Roman life provided, and such a showing is far on the way to a true philosophy of Greco-Roman history; but nevertheless his book lacks the movement and continuity necessary to a truly philosophical account of history. Again, he has, besides his sense of the intimacies between the theories and the things political, also a sense of the place of these things and theories in the more general life and the more comprehensive philosophy of the times with which he deals; but with this, which counts for much, he still fails, at least exoterically, to give even a general reader's philosophy of history. To waive certain less conspicuous evidences of this failure, such as the more polite than appreciative treatment of the oriental philosophy (Chapter II., 13-22), and particularly of the part of the Jews in political history (Chapter III., 23-30), the discussion of Stoicism and Epicureanism (Chapter XII.) is signally inadequate. These great ethical philosophies are indeed interesting in themselves and, as Professor Willoughby shows clearly enough, they were pertinent to their time, but he sees their time too statically or—to recall what was said

above — too much as if between dates, not enough as an activity involving a long past and a long future. Associating with them, the contemporary skepticism, an appreciative historian should see in them, perhaps as much in their opposition and interaction as in their different separate ideals, the solvent by which the earlier civilizations were made parties to the Roman. They turned the human treasures and conceits of the Greeks and the other peoples of the time into non-human, wholly material things or "utilities", which the forces since known under the name of Rome were enabled to use, and thus they were important agencies in the building of the great empire, dehumanizing or materializing the old for the free use of the new. Of this distinctly mediate function, however, in Stoicism and Epicureanism Professor Willoughby gives only the merest hint. Yet in such a book as he has undertaken, what could be more important than some such direct treatment of these great philosophies of the transition as philosophies of the transition? Has the historian no proper interest in the wise men who brought treasures out of their past and in all humility offered them to the dawning future? Has he no necessary regard for the people saying through their philosophies, "The things which were given are now taken away by the giver of them"?

But, secondly, the discussion of Plato may be mentioned as illustrating further the criticism made here. This discussion (Chapters VII.—IX.) lacks real efficiency. Plato was indeed an idealist, although not a mere dreamer, as we are finally reminded (p. 128); his idealism was of the sort that is always great, in that manifestly it was only an abstraction and hypostasis of what in different degrees had been the actual, though unconscious or only half-conscious, practice of the Greek cities for centuries; but the distinct historical value of such hypostasis, and so the real motive in Plato's theories, Professor Willoughby has somehow missed. Like any great philosophy, too, Plato's philosophy affords a sort of cross-section of the life of his times, so that to find in him only a certain doctrine, even though this doctrine is seen as formally appropriate to the day, is to be at least in danger of avoiding the real point. A cross-section is not so static as it may often seem; it is dynamic; it is like the infinitesimal of the calculus, which only focuses into a point the spacial and temporal movement of a whole system; and in the case of Plato not to see the tension or struggle—even the vacillation—with which his philosophy was quick is—what shall I say?—it is to deny him any real part in history.

And, thirdly, and lastly, in a comparison between the Roman and the modern eighteenth-century idea of law as contract it seems to me hardly safe to depend on such a statement as this: "As being . . . rationally demanded by men's very nature, the state was never viewed [by the Romans] as anything so artificial as to require a formal conventional act for its establishment. . . . There was . . . no original basis of natural right upon which the idea of a social compact could have been founded" (pp. 243-244). Was not the nature upon which the natural rights of the modern theories were based as urgent and as rational a

demand for the state as the Romans ever lived under? Though used as a sort of cry against all forms of established authority, was not nature after all rather a watchword of reconstruction than of anarchy? And "the formal conventional act", to which Professor Willoughby refers, was this anything more than a sort of legal fiction, a political category, which, while depriving every visible institution of final authority, was nevertheless an evidence of the constant demand in human nature for instituted authority in some form? The difference between the Roman and the modern idea, if difference there be, is that between fixity and movement, between the law as necessary and the law as always subject to revision. It can hardly be that between what is "rationally demanded" and what is "so artificial as to require a formal conventional act for its establishment".

So, in conclusion, this book by Professor Willoughby, while undoubtedly justified, is as much an invitation to others to work in the same vineyard as anything else. The invitation, however, has been needed, and what a book succeeds in making not only more clearly necessary but also more clearly worth while, is quite as important as what in itself it immediately achieves. Professor Willoughby's book has the real importance of both meeting a want and at the same time creating one.

ALFRED H. LLOYD.

A Social History of Ancient Ireland. By P. W. JOYCE, LL.D.
(New York, London, and Bombay: Longmans, Green, and Company. 1903. Two vols., pp. xxiii, 632; xi, 651.)

DR. JOYCE'S two volumes constitute the most comprehensive treatise on the life and institutions of ancient Ireland that has appeared for a long time. No work of similar range has been undertaken since Eugene O'Curry's *Lectures on the Manuscript Materials of Ancient Irish History* (Dublin, 1861) and on the *Manners and Customs of the Ancient Irish* (1873); and Celtic studies have made great advances in the interval. Dr. Joyce, while taking advantage of the progress of science, frankly acknowledges a large debt to his predecessor and treats his work with a respect which it has not always received from men of the newer training. In fact he sometimes quotes O'Curry or O'Flaherty (the author of *Ogygia*) when it would be more satisfactory to have references to original sources. But he is not misled by their authority, and he usually makes clear to the reader the real nature of the evidence for his statements. His work, as might be expected, frequently corrects and in large measure supersedes all earlier treatises on the subject with which it deals.

After a judicious preliminary discussion of the nature of his sources and the methods of his investigation, Dr. Joyce gives a general bird's-eye view of Irish society in the period from the sixth century to the twelfth. Then he proceeds to take up one by one different features of the national life and discusses them minutely in successive chapters. His study includes the systems of law and government; religious institutions, both

pagan and Christian ; education, both lay and clerical ; language, literature in its various departments, and the arts and sciences ; and all the daily activities of domestic, social, and industrial life. He has brought together a great mass of material of the utmost interest to students of any branch of history or archæology, has arranged it admirably, and has discussed it with much clearness and sobriety, though not with marked originality. He has not contributed much in the way of new theories or discoveries of facts, but this was not his main purpose. On the whole his treatise represents pretty well the present state of the information upon the subjects with which it deals.

Dr. Joyce's method is not chronological, and it would probably have been impossible — at least without prolonged special investigation — to trace the development of many of the institutions he treats. But one sometimes feels that more regard should have been paid to time. The chapter on "Paganism" would have been better if more attempt had been made to distinguish its successive phases, and if Druidism had not been simply identified with the popular religion. Dr. Joyce either did not know or he chose to disregard the important recent discussion of this subject by A. L. J. Bertrand, whose treatise, *La Religion des Gaulois* (1897), is not mentioned either among the references on Celtic Druids (I. 240, note) or in the general bibliography. In general, I should say that not enough account is taken of current opinion and discussion, which often affects very materially the interpretation of the texts and monuments. Speaking of Esus (I. 249), Dr. Joyce suggests that he was widely worshiped in Gaul, though M. Reinach has argued vigorously against this view (*Revue Celtique*, XVIII. 143) ; and he says nothing of the attempt made by M. d'Arbois de Jubainville to find in an episode of the *Tain Bó Cuailgne* a parallel to continental sculptures of the same god. Similarly he discusses the Tuatha de Danann without mentioning either Stern's theory (*Stokes Festschrift*, 15 ff.) about the origin of the name (which, if accepted, would dispose of the goddess "Danu") or Nutt's long essay upon them in *The Voyage of Bran*. In a later chapter he treats the life of Saint Patrick without indicating that the usual account (which he follows) has been often questioned, most recently in H. Zimmer's important article on the "Keltische Kirche" (*Realencyklopädie für protestantische Theologie und Kirche*, third ed., 1901, X. 204 ff.). These omissions, and others like them, were probably part of Dr. Joyce's plan. But it seems none the less important to point them out, even if the author felt himself to be observing a necessary limitation. The treatise is far less complete as a digest of opinion than as a collection of materials.

I do not think a large quantity of positive errors will be found in the work. The equation between Bel and Baal (I. 279) will hardly command the assent of scholars ; and the assumption of a common origin for O'Duibhne and Adonis (I. 532) is still more astonishing. Several of Dr. Joyce's linguistic ventures are unlucky, although he has written a good book on Irish place-names. There is surely no reason for repeat-

ing Crowe's etymological identification of *bruidhen* and *πρην-αγστου* (II. 171). Dr. Joyce's remarks on Christian loan-words (I. 316) are also inadequate, taking too little account of Welsh transmission, and his classification of the Celtic languages (I. 472) is misleading when it implies that the continental Celtic as we know it was the parent of Welsh and Irish. But these inaccuracies fortunately do not affect the greater part of his work. It is in comparison of Irish with other languages rather than in the interpretation of the Irish itself that he is not quite safe. And I may add that in dealing with religion and saga the least successful parts of his work have been his efforts at comparison. The parallels and contrasts, for example, between Irish and Gaulish religion (I. 238-240) are not particularly significant, and in a later chapter (I. 391) the remarks on cold torments in hell imply that the doctrine was more restricted to the Celts than it really was.

But comparison of institutions, like comparison of words, was only a casual matter with Dr. Joyce. He says in his preface that he could not give much space to it. His chief object was to compile the available facts about the social history of ancient Ireland, and he has done it with remarkable thoroughness. Such a compilation is of special value (and attended with special difficulties, it should be remembered) in the field of Celtic philology, where most of the usual aids to scholarship — good dictionaries, onomasticons, cyclopedias, and the like — are still extremely scarce.

F. N. ROBINSON.

Les Origines de l'Ancienne France. Par JACQUES FLACH. III.

Le Renaissance de l'État. La Royauté et le Principat. (Paris: Librairie de la Société du Recueil Général des Lois et des Arrêts, L. Larose, Directeur. 1904. Pp. viii, 580.)

To all who have a special interest in the history of feudal institutions, or in the history of the tenth and eleventh centuries, the appearance of a new volume by M. Flach, after an interval of ten years, is an event of much importance. Whatever one may think of his fundamental theories, or even of his historical method in some of its particulars, there is certain to be much instruction to be found in his suggestive ideas, in his restudy of the evidence, and in the new evidence which he brings to bear with great skill on the problems of the age.

It was a long life-work which M. Flach began many years ago, and it has been much interrupted by the exacting duties of his academic position. The first volume appeared in 1886; the second in 1893; and the third bears the date of 1903. Of his original plan of the work, covering the entire institutional history of the period between the dissolution of the Carolingian state and the beginning of a reconstruction of the royal power by the Capetians, Volume I. contained Book I., on protection — a study of political conditions affecting the origin of feudalism — and Book II., on the dissolution of society; Volume II. contained Book III., on the elements of reconstruction — a study of early communal organization, urban and rural, and of feudal institutions; and the pres-

ent volume contains the first half of Book IV., entitled in the original plan "the formation of a national law", now called "the renaissance of the state", and dealing with political institutions rather than with the construction of a body of formal law. The proper treatment of this subject proved too long for a single volume, and another to complete it, which will be Volume IV. of the whole work, is promised for early publication. There still remain of the original plan four more books to appear: V., dealing with general social conditions; VI., with economic conditions and the position of the individual in this society; VII., with intellectual and social conditions; and VIII., with commune and enfranchisement as outgrowths of the period and lines of transition to the next. The results of this great plan of work that have already appeared are so valuable that it would seem to be the plain duty of France to see to it that these long years of preparation and the enormous organization of material already made are not lost to the world of scholarship by pressure on the author by routine labor that may in any way be avoided.

The third volume deals with a topic in which there will be perhaps more general interest than in the subjects of the first two. Its main topic is the transmission of the prerogatives and functions of the central government, the monarchy, through the age of weakness from the end of the ninth century to the end of the twelfth. The first part, of about 100 pages, deals chiefly with the author's fundamental theories, and will be considered later. The second part, which will be completed in Volume IV., considers the central government of the state in itself and in its relation to the more local powers that shared in or disputed its authority. It is impossible within any reasonable limits even to refer to the numerous topics of interest that are discussed in the treatment of this general subject. Of especial importance are: the transmission of the idea or ideal of the kingship, in which the definiteness of this idea and its value to the central government during the eclipse of the monarchy and in the reconstruction of its power are brought out more clearly than ever before; of the legislative power, in which a new view is presented of this function, making it rest not on a general lawmaking power, which it is held the sovereign never possessed, but on a high police function; of the judicial organization, treated under two separate divisions — under the royal prerogatives (considering jurisdiction, appeals, equity, and the inquest process, all of especial interest), and under the royal household (considering the different kinds of royal courts, here made three, and their composition); of the idea of peerage and the origin of the peers of France, for which a natural rather than an artificial origin is found; and finally of the relation of the great baronies or feudal states of France, lay and ecclesiastical, to the general government, including a considerable history of each, which is the special subject left unfinished in this volume. This indicates imperfectly the wide range of institutions discussed and always in a fresh and suggestive way and with some new evidence.

But it was not for the discussion of details like these that M. Flach undertook this long work. They are but incidents to his main purpose;

which is to establish a new interpretation of the history of these centuries. His fundamental thesis in general terms is that the feudal system as commonly understood did not become definitely established as the mistress of French public life until sometime in the twelfth century, that current ideas, inherited from the feudists of the ancient régime, carry back the complete possession of society by feudalism two centuries too early. Incidentally to this general thesis he parts company with current ideas on many points of detail, questions both of the origin and of the character of feudal institutions. The third volume illustrates very well the relation of his special treatment to his general thesis, since the subordinate thesis of it may be said to be that there was much more of definiteness and of extension to the royal authority during these centuries than has generally been supposed. In support of this thesis the author has certainly arrayed much evidence usually overlooked but hereafter necessarily to be taken into account. In this way the volume well illustrates what is true of the work as a whole, that its real importance is less in what the author has most at heart than in what is to him incidental to his main contention.

It is not easy to be sure that one understands the intricacies of M. Flach's system. A difficult style and an unusual vocabulary, a habit of expression, and even of thought apparently, in figurative forms, not a few subtle distinctions, and a perplexing mingling of general ideas and special cases strain the attention and confuse the judgment. But if one may trust his understanding, if there is not another explanation which has escaped some effort to find it, these three volumes would seem to record the progressive growth of a system in the author's own mind. The points on which M. Flach differs from the prevailing views on feudal history appeared but faintly in Volume I., came out more clearly in Volume II. on certain topics, and are here seen sharply and all along the line. If after completing Volume III. one will turn back and read chapter XI. of Book I., the apparent progress of ideas will be evident. There these conclusions for the end of the ninth century appear to be unquestioned: the heredity of benefices had been long established, and it was the rule that benefice and vassalage should be united in the same person; the establishment of this rule marks the passage of the beneficial system into the feudal system; the benefice in itself created the obligation of service, it was pay in advance, and on it a *contrat réel* was based which was perfectly synallagmatic and which gave the right of confiscation on failure of service. In the present volume scarcely anything of this remains. In one case M. Flach has noticed the change (III. 83), but in general he has not. This fact makes rather difficult both the study and the criticism of the peculiar ideas which M. Flach endeavors to contribute to the scientific understanding of this period, but it seems to me certain that he has failed to prove satisfactorily either his main contention as to the date of definite feudal organization or the more important deviations from generally accepted ideas that have gone with it.

Let us take a case of some importance that raises the really fundamental question of evidence and method. M. Flach mentions Normandy, Flanders, and Barcelona as the regions where feudalism first developed into the type known to the feudists. What his basis for this classification is does not appear in the present volume, though it is possible to guess; nor does it appear why on similar grounds he does not add Lombardy to the list. At any rate, the agreement in all essential details of the early formulated feudal law, or described feudal customs, in these widely separated quarters of the old Frankish empire, suggests even more than development out of a common institutional past. It suggests that if we were fortunate enough to possess legal monuments of the same character as from these regions, or the writings of chroniclers equally interested in the subject, for those portions of the Frankish empire that separated these extremes, we should find evidence throughout the whole of a development contemporary and similar, or nearly so. We get here also a logical ground for the traditional interpretation of the less systematic material that has come down to us from these interior regions, and one different from that which M. Flach supposes to be its basis, that is, the influence of the feudists on our study of the codes of the thirteenth century. Indeed, tracing the development from the ninth century in the light of the completed result in the thirteenth is not a logically indefensible process, though it might leave us sadly in the dark as to the date of intermediate changes, and this is one of the author's strongest points, but we are not really shut up to this method, as M. Flach seems to suppose.

This is one phase of what constitutes the most serious scientific defect of M. Flach's work. He has chosen to found his explanation of this period, in so far as that differs from the prevailing one, not on those portions of our incomplete evidence that link the strongly established, already victorious tendencies of the ninth century with the results displayed in the thirteenth in a continuous, harmonious whole, but on the evidence which opposes a continuity of prevailing forms, on what is rather the special instance, the survival of disappearing forms, the exceptional case. That is, the theory is open to the serious objection that, even where it is most strongly supported by the facts, it explains them no better than the older interpretation and explains no more of them, and elsewhere not so well or so completely. There is too much left to be explained away, often in a somewhat forced manner, or by virtue of a theory which itself stands in need of proof. M. Flach seems also to go upon the supposition that the date of a prevailing feudal type is fixed by the date at which formal statements of feudal law began to be drawn up. It is to be hoped that his plan includes a study of the conditions under which men began to feel themselves impelled to reduce to written statement the customary practices that had grown up. This preliminary and often informal process runs through the eleventh and twelfth centuries, and forms the introduction to the more formal codes of the thirteenth. It is a process that undoubtedly tended to eliminate exceptional

practices and was perhaps induced by them, but it does not therefore indicate the late creation of a prevailing type. Nor must such a conclusion be drawn from that late evolution within feudalism which is so clearly seen in the written law — the tendency to transform the vassal in reality from tenant to owner, while he remained in form a tenant.

It must be understood that this criticism applies only to those views of M. Flach's that are peculiar to himself. In a very large portion of his work he is in agreement with the current opinion, or his new suggestions require no serious modification of them. Here we have often to be grateful for sharper distinctions, improved emphasis, and reinforcement of evidence. In one particular we can go further than this and revise our criticism of his peculiar views. One of the most important contributions which he has made to our better understanding of this period comes through the emphasis he has placed on the rôle of the social forces, the family, the clan, the tribe, etc., in the development of feudalism. In that exceedingly complex process which we call the formation of feudalism, through which history passed from the beginning of the seventh to the close of the tenth century, social, economic, legal, and political forces, under conditions of their own creation, struggled and wrought together on the coming result, each impressed itself on that result, and in some measure helped to account for its form. It was perhaps natural, while the pioneers were blazing their way through the tangled jungle of this growth, that each should insist on the superior importance of the way which he had himself struck out and declare his exploration to be all-sufficient. The time has now come when we ought to be able to see that no one explanation contains the whole truth; that neither legal forms nor economic conditions, neither social impulses nor political necessities, were, any one of them, the controlling factor in creating feudalism, but that the product was a resultant of all these, to which each made an essential contribution. To insist, as M. Flach seems disposed to do, that he is right and that others are wrong, is to class his book with the work of the pioneers, not of the final constructors. That is in truth where it belongs, though in my opinion from its comprehensive grasp of the subject it comes nearer to a final book than any other yet written. And this particular piece of pioneer work was still needed to emphasize what we were disposed to overlook and what it seems clearly to have established, that as political authority declined in strength, society fell back on older natural bonds, the family, the clan, the ethnic unit.

It was no slight service also to raise the question of date, even if we reject the offered amendment of our ideas, and to insist on the scanty character of the evidence which supports the old notions, to make considerable additions to our evidence, and to force a careful reëxamination of all the field. It was of great value also to show more fully than before that in the tenth and eleventh centuries the old and indefinite still mingled in appreciable proportions with the new and more fixed, though the student should be warned against concluding that a great variety of

forms, an apparent confusion of forms even, means either the indefiniteness of the forms themselves, or the impossibility of tracing the pedigree of those that finally prevail through a clear line of descent to the primitive forms in which the growth began. That is the narrowing fallacy of those who refuse to allow to legal forms their proper place in the complex evolution that produced feudalism.

In the matter of the evidence brought forward, this volume differs somewhat from the other two. A marked feature of both the others was the frequent citation in full of passages from the sources, especially of unpublished ones, to such an extent as to make them almost source-books of early feudalism. The argument of Volume I. was supported mainly by evidence from the charters. In Volume II. appeared an array of evidence from a new source, the *chansons de geste*, open to obvious critical objections, but handled by the author with care and skill. Volume III. brings into the field still a new array, drawn now from the saints' lives and from sermons, open to the same objections, but handled with the same care. The volume differs, however, from the first two in the amount of quotation, which is quite distinctly less.

In conclusion it is to be said that while M. Flach's work is a most suggestive and valuable contribution to the history of early feudalism, it cannot be accepted as a safe guide for the beginner. It is a book for the special student, for one who already knows the evidence and the prevailing interpretation of it, and who can estimate critically the author's use of it and his new conclusions. The special distinction of the book is that those who know the most about its subject, and perhaps those who least accept its peculiar views, will gain the most from it.

GEORGE B. ADAMS.

Mediæval England: English Feudal Society from the Norman Conquest to the Middle of the Fourteenth Century. By MARY BATESON, Associate and Lecturer of Newnham College, Cambridge.

[The Story of the Nations.] (New York: G. P. Putnam's Sons. 1904. Pp. xxvii, 448.)

As might be expected from a writer whose editing of *The Records of the Borough of Leicester* has given her a conspicuous place in early municipal history, Miss Bateson's *Mediæval England* is distinctly above the level of the long series of which the new volume forms a part. Much more new material, the result of painstaking research in a field not hitherto overworked, has gone into this volume than into some of its predecessors in the "Story of the Nations" series. The work, while characterized by directness and clearness of narrative which cannot fail to make it readable, bears the mark of scholarship. There was a place for a book of moderate size with the aims and on the lines of Miss Bateson's work. There was a constituency of general readers awaiting it; and Miss Bateson has adequately occupied the field.

National politics comes in for little attention. There is but a passing allusion to the beginnings of the House of Commons; and this only in relation to taxation in the municipalities. The main lines of political movement are assumed to be understood. Miss Bateson's aim has been to keep social rather than political conditions in view; but there is in the volume much concerning the beginnings of town life, and the marked progress of municipal institutions in the last fifty or seventy years of the middle ages. The exact period covered by Miss Bateson's study is from 1066 to 1350; and her attitude toward the subject is shown by her subdivisions. These are: Norman Feudalism, from 1066 to 1154; The Lawyers' Feudalism, from 1154 to 1250; and Decadent Feudalism, from 1250 to 1350. Excluding national politics, there is not a phase of English life in these three centuries which is not freshly illuminated in Miss Bateson's pages. The social side is predominant throughout—the life of the court, of the baronial hall and the manor-house, of the villain and the freeman, and of the abbey.

As is natural in a book written by a woman, particular attention is given to the life of women, to their daily routine, their social duties, and their pleasures, and to their accomplishments in art and literature. The material for this in the earlier part of the period is, as Miss Bateson explains, only scant. But it has been unearthed wherever it was discoverable; and Miss Bateson's treatment of this part of her subject gives the feeling that nearly all has been said that it is yet possible to learn of women's lives and interests between the Norman invasion and the gradual partial breakdown of the feudal system.

Miss Bateson has taken a comprehensive view of social England. In her four hundred pages she has covered the beginnings of the civil service; the organization and internal economy of the church; the conditions under which lawyers began to be a class apart; the beginnings of the universities; the condition of popular education; and the changes in the economy of agriculture. She also covers the beginnings and developments in municipal institutions, and of trade and social guilds. As regards these, most attention is given to the municipal institutions and guilds of London. These were the models for similar institutions in the provincial cities and boroughs; and as Miss Bateson shows, they were rightly taken as models; for by the end of the period London, with a population of at least 90,000, was divided into twenty-four wards; its gates were well armed; its municipal council was well organized and active; it had its own law-courts; and in a word, in everything municipal London by 1350 was half a century in advance of the best-organized municipality in the provinces.

It is noteworthy that even at this early period local government was carried on, as at the present time, by men who received no pay.

Only the actual out-of-pocket expenses of authorized officials were defrayed by the common chest, and there might often be a difficulty in obtaining even these. The Mayor of London received a large grant for the maintenance of hospitality, £40, but in small towns 20s. sufficed.

A town-clerk and town-sergeant received small salaries, but the list of paid officials is always very short (p. 397).

In municipal service, in relation to the church and also to rural economy, customs and characteristics that are found in English life to-day had all come into existence by 1350. Some of them were already well-established. It is this fact which makes Miss Bateson's book of interest and permanent value. It is a book which should specially commend itself to educated Americans who are contemplating a sojourn in England. A study of it will help to the understanding, not only of the building of the cathedrals and abbeys and castles, and of their place in medieval life, but also to a comprehension of the present-day organization of the cathedral staffs, as well as of municipal conditions and some phases of modern rural economy.

There is a chronological table of twenty pages, beginning with the crowning of William the Conqueror and ending with the Black Death of 1349. Illustrations are numerous, but most of them have no close relation with the text.

EDWARD PORRITT.

The Oligarchy of Venice: an Essay. By GEORGE B. McCLELLAN. (Boston: Houghton, Mifflin, and Company. 1904. Pp. iv, 216.)

MAYOR McCLELLAN's purpose is to trace the origin, growth, and ascendancy of the oligarchy at Venice, and to show that, from the moment the oligarchs got control, the republic inevitably decayed. He has no difficulty in accomplishing this to his own satisfaction and to the conviction of any reader who supposes that because a demonstration is simple it is necessarily true. Most of the glittering generalities with which histories of a certain kind are now filled out owe their semblance of truth to the careful omission of inconvenient details. But in the story of Venice one must not make the oligarchy the scapegoat of all her ills unless he is prepared in justice to show how essentially it contributed to her prosperity.

One would scarcely realize from Mr. McClellan's pages that after the oligarchy was completely organized, Venice did anything but go to pieces. Yet for her to make head at all against the League of Cambray, and to recover her strength so far that she was still formidable for two centuries, was the best proof that the oligarchy was not palsied. To save herself from the Spanish plots, at the time when Spain stood paramount in Europe, certainly does not argue feebleness. Historians are accustomed to sing the praises of sturdy Elizabethan England and of brave little Holland for successfully resisting Philip II.; Venice deserves scarcely less credit for circumventing his successors, but Mr. McClellan fails to give her credit for the service she then rendered. Even less does he indicate her epoch-making resistance to the interdict in 1606, when, under the counsel of Sarpi, she drew the sting of ecclesiastical interference in political affairs. And surely the immense burden which the oligarchy bore during the seventeenth century in its combat with the Turk ought not to be ignored.

But Mr. McClellan's excuse may be that he was concerned only to analyze the formation and character of the political machine at Venice, not to write a history of public events. If this be his position, it illustrates the inadequacy of mere constitutional studies or of descriptions of governments as they exist on paper. Unless an analysis of the Venetian oligarchy be supplemented by a statement as to its actual working, we are left with only a theory, an abstraction, to speculate over. The business of the historian is to know not merely what ideals men put on the statute-book and disregarded, but what they did and what they attempted to do. A stranger from reading the municipal ordinances of Greater New York might imagine that metropolis to be the New Jerusalem, instead of a political cesspool. So conversely, although Mr. McClellan would have us suppose that an oligarchy is almost necessarily bad, we insist on asking to have it explained how the assumed bad Venetian oligarchy so efficiently saved the republic against the League of Cambray, and the Spaniards, and the interdict, and maintained that gallant struggle against the Turk.

Questions deeper still Mr. McClellan passes by unnoticed; for instance, we should like to have discussed the contrast between the stability of Venice and the political hysteria of Florence or Genoa. That would lead to a broad consideration of the terms on which any stability could be attained in Italy from the days of Charlemagne to those of Charles V. And somewhere in the essay we ought to learn how it was that if Venice was the oligarchy, and the oligarchy was detestable, nevertheless the Venetians had a beautiful devotion to Venice. Mr. McClellan has given us, at the most, a skeleton of the political development, but suppose you saw in a museum the skeleton of Bismarck or of Cromwell, how much would that alone help you to know what the man was, thought, or did?

W. R. THAYER.

Christopher Columbus: his Life, his Work, his Remains, as Revealed by Original Printed and Manuscript Records, together with an Essay on Peter Martyr of Anghera and Bartolomé de las Casas, the First Historians of America. By JOHN BOYD THACHER. (New York and London: G. P. Putnam's Sons. 1903-1904. Three vols., pp. x, 670; vi, 699; vii, 775.)

THIS is the most voluminous and sumptuous work devoted to Columbus that has ever been published in the United States. It is not merely magnificent in appearance and proportions, but its contents are based on a more conscientious study of the original sources than has been the case with any life of Columbus published in this country since Irving's. In addition, it brings within the reach of American students considerable material hitherto accessible only in the *Raccolta di Documenti e Studi* published by the Italian government or in the Duchess of Berwick y Alba's *Nuevos Autógrafos de Cristóbal Colón y Relaciones de Ultramar*. In the preparation and publication of these volumes Mr.

Thacher has rendered to American students of Columbian questions a great service, which will be appreciated by those who have occasion to prosecute such studies. This I can say from actual use of his first and second volumes. Such use has, to be sure, revealed errors which ordinary reading preparatory to writing a review might have overlooked, but on the other hand it has unmistakably demonstrated that the work is in the main based on the primary sources.

Among the original materials for the life of Columbus which Mr. Thacher has printed, accompanied by English translations, are extracts from Peter Martyr's *Epistles*, the two Genoese lives by Gallo and Senarega from Muratori, Giustiniano's life from his *Psalter*, the various versions of the Toscanelli letters, considerable extracts from Las Casas's *History of the Indies*, the *Journal* of the first voyage, the Santangel and Sanchez letters in facsimile and translation, facsimiles and translations of the demarcation bulls, the treaty of Tordesillas, facsimile and translation of the Syllacio-Coma letter on the second voyage, the Chanca letter, the de Torres memorandum, the narrative of the third voyage from Las Casas, the letter to the nurse of Prince John, the *Libretto* in facsimile and translation, the Porras and Mendez narratives relating to the fourth voyage, and the *Lettera Rarissima* in facsimile and translation. Of these documents it may be remarked that the three Genoese lives and Las Casas's account of the third voyage have never appeared in English before; that of the *Libretto De Tutta La Navigazione De Re De Spagna* (Venice, 1504) only one copy is known and that it has never before been reproduced in facsimile.

In his third volume Mr. Thacher reproduces the most famous of some forty of the alleged portraits of Columbus, which he classifies according to types, giving the provenance of each example. To the handwriting of Columbus over 350 pages are devoted, in which are reproduced in facsimile a great variety of his autograph letters. These are all translated into English. Mr. Thacher next takes up the questions relating to Columbus's death and burial-places, and in particular the question of the removal of his remains from Santo Domingo to Havana in 1795. He decides that the remains were not those of Columbus, and that consequently his ashes still repose in the island which he discovered and colonized. Next the lines of descent from Columbus are carefully traced and illustrated with genealogical tables.

It will be seen from this brief outline that Mr. Thacher's work brings within the reach of libraries a considerable range of material often not accessible except in our great collections. In regard to the quality of the execution, it is but fair to say that one gets the impression of an alert and studious mind, exceptionally equipped in the minutiae of the bibliography of rare Americana, with a thoroughly sound instinct as to historical material, and at times a keen critical insight, yet after all lacking the sure learning of the trained scholar. Mr. Thacher sees some things that some highly trained scholars have failed to see because they have not read the sources as he has read them, and then again he makes

blunders that would be almost impossible for the technically trained student. A few examples will illustrate my point: He has discerned, and I believe rightly, that the *Historie* or *Life of Columbus* by his son Ferdinand is so demonstrably based on Columbus's own journals and papers that Harris's attack on its authenticity cannot stand; again, Mr. Thacher decides rightly, I believe, that the letter of Columbus which he prints in Volume III., 100 ff., should be dated in 1493, although the learned editor of the *Cartas de Indias* placed it in 1497. On the other hand, he can make such a slip and such a conjecture as the following: Peter Martyr writes in 1489 of the wide prevalence of the *morbis Gallicus*, "qui appellatione Hispana Bubarum dicitur" ("which the Spaniards call bubarus"), to which is appended the note: "This we take to be a compound Greek word $\beta\omicron\upsilon$ and $\beta\alpha\rho\upsilon$ s, 'exceeding grievous'" (I. 86). As a matter of fact "Bubarus" is the genitive of "bubæ", Peter Martyr's Latin for the Spanish "Las bubas".

Outside of the special field of Columbian scholarship, Mr. Thacher's historical studies have not been carried very far. The Calif Omar is once more condemned for destroying the Alexandrian Library (I. 15); of the Donation of Constantine he remarks, "The donation of *all Italy* by Constantine to Sylvester has been denied by many. . . . The instrument of donation is by many regarded as not genuine" (II. 86); Sir John Mandeville is still a genuine traveler (I. 171); and Adam of Bremen is said to have put the story of Wineland told in the Sagas "into a poem, a sort of cosmographical treatise" (I. 393).

The monographs on Peter Martyr and Las Casas are readable essays and bring out the essential facts as to their lives. That on Peter Martyr includes, as has been said, the principal passages in his letters relating to the New World. To the student of the discoveries Peter Martyr's *Letters* and *Decades* and Las Casas's *Historia* are of vital importance, and he is at once confronted by fundamental critical questions. Are Peter Martyr's letters genuine contemporary material of the date they profess to be, or do they also contain later interpolations of the nature of recollections and of the results of subsequent investigations? In what instances and to what extent does Peter Martyr report information gathered orally from the discoverers or embody the substance of documents no longer extant? What materials lay back of Las Casas's narrative? These questions are of the first importance for a biographer of Columbus. Then again, the scholar in reading a critical discussion wants to be put abreast of the best recent literature of the subject. Mr. Thacher rarely does this; in fact he does not, I think, give an adequate amount of credit for what has derived from the *Raccolta*, from Harris, and from other writers. In other cases one has the misgiving, if not the conviction, that the critical literature has not been studied.

Take, for example, the question of the trustworthiness of Peter Martyr's letters. Of all the Peter Martyr literature the only author with whose criticisms Mr. Thacher deals is Hallam. To his offhand strictures twenty-four pages are devoted. There is no intimation of the illu-

minating criticism of von Ranke, whose four pages on the subject (*Zur Kritik Neuerer Geschichtschreiber*, 101-104) would have compelled Mr. Thacher to grapple with the question in a way that Hallam did not. Bernays is referred to once and Schumacher once, but without mentioning his name. Gaffarel is quoted in relation to Las Casas but not on this problem, while Mariéjol, Heidenheimer, Pennesi, and Gerigk are not mentioned.

Again, in relation to Las Casas's famous controversy with Sepulveda, Mr. Thacher takes from Helps the statement without verification that Las Casas "occupied five full days in reading his *Historia Apologetica*, composed for the occasion" (I. 154). If Mr. Thacher had read any of the *Historia Apologetica*, he would, I think, have concluded that Helps was in error. If he had read Fabié's *Vida y Escritos* of Las Casas he would have learned that an abstract which has come down to us of what Las Casas read on that occasion proves conclusively that it was not the *Historia Apologetica* but a work no longer extant.

In presenting so large a body of translation as this work contains, from the Latin, Spanish, and Italian, and from texts not previously translated, errors are to be expected. As a whole the translations are readable and trustworthy. In any event the original is before the reader who wishes to try his own hand at it. Two or three strange blunders may be noticed: At the bottom of I. 66, "Triginta utriusque sexus" (thirty of both sexes) is rendered "thirty-six others". On I. 72-73 "Ignosce si sum brevis, et propterea obscurus" is rendered "Ignore my brevity and consequently my lucidity". In other cases the translator has lacked a knowledge of Renaissance Latin, as on I. 199, where Senarega explains the word *carminatores*, which he thinks will puzzle the ordinary reader: "Carminatores ii sunt, quos vulgus Scarzatores appellat", "Those are carders whom the world calls *scarzatores* — combers." The proper translation is, "Carminatores are called *scarzatores* in Italian." Occasionally Mr. Thacher fails to control effectively his own material. In Volume II. he asserts, "There has been speculation as to whether or not Columbus ever read Marco Polo. . . . It seems to us most probable that Columbus did know it" (II. 619); yet in Volume III. 461 he describes the edition of Marco Polo which was in Columbus's possession and refers to his marginalia in it which are reproduced in the *Raccolta*. The evidence that Columbus read Marco Polo is far better than any that can be advanced for his having corresponded with Toscanelli. On the Toscanelli question Mr. Thacher effectively supports the orthodox view.

Taken all in all, Mr. Thacher's *Columbus* is a very distinct advance on his *Continent of America*. In that work Mr. Thacher committed himself, as Mr. Fiske did, to Varnhagen's hypotheses about Vespucci's first voyage and consequently against the view of almost if not quite all the most competent critics of to-day that have gone into the question thoroughly. In no single important question in his *Columbus* is the reader likely to be misled into thinking a view to be the right one which is nearly univers-

ally rejected. The merits of the *Columbus* are positive. Its defects are in most cases of a kind that will not seriously detract from the merits. It would have been more useful if Mr. Thacher had given more references to back up his text, and if somewhere he had provided a bibliography of modern critical works on the subjects that he has treated. The index is very full and, so far as I have tested it, very good.

EDWARD G. BOURNE.

A Short History of Mexico. By ARTHUR HOWARD NOLL. (Chicago: A. C. McClurg and Company. 1903. Pp. xi, 317.)

From Empire to Republic: the Story of the Struggle for Constitutional Government in Mexico. BY ARTHUR HOWARD NOLL. (Chicago: A. C. McClurg and Company. 1903. Pp. x, 336.)

MR. ARTHUR HOWARD NOLL in 1890 published *A Short History of Mexico*, which is now issued in a new edition, "thoroughly revised, and with new matter". An accompanying volume, having to do with the struggle for constitutional government, has just been issued and has been entitled *From Empire to Republic*. And, at the outset, let it be said that the latter book is much more deserving of praise, though neither can claim the indorsement of the careful student.

It may seem to some extravagant for one, upon assuming the rôle of historian, to incorporate in a preface such a motto as the following: "The sources whence the information contained in the book is derived are so many and various that it would be a waste of space to enumerate them." It is also not over impressive to learn:

This brief history was prepared with the writer's own needs in view. Having accomplished what he had vainly hoped to find accomplished for him, he at first thought of offering his work to the tourists in Mexico to aid them in enjoying the sights of that country. This idea was abandoned after the manuscript was in the hands of the publishers, in deference to the opinions of others that the book would be beneficial to the public generally, — no less in need of such a history than the tourist.

Even if the author had observed greater reticence in laying down the lines within which his work fell, the reader with any knowledge of the story of the New World and of Mexico's setting in it would soon have discovered that the *Short History* more nearly approximates a guide-book. Historical accuracy and historical method are alike cast to the wind — everywhere are the earmarks of a compilation. The great drama of the unfolding of an empire is for the author only a lot of isolated pictures, the most significant of which, for the benefit of the casual reader, have been marked with stars in the manner of Murray or Baedeker. Quite apart, however, from the failure to grasp the essentials of the development of Mexico, there are historical inaccuracies of a nature and quantity to deter the boldest purloiner of historical data.

Mr. Noll, in the opening chapter of the *Short History*, which has to do with archæological matters, seized with avidity upon the legendary

tale of the wanderings of the Aztecs from Aztlan, "somewhere north of the Gulf of California," perhaps in the locality where are found the remarkable Cliff houses of Colorado and New Mexico", to their final stopping place. On pages 17-18 he says:

In the marshy islands near the western borders of Lake Texcoco, representatives of the poor tribe of Mexicans, wandering about in search of a place of rest, saw an eagle standing upon a *nopal* (prickly-pear cactus) strangling a serpent. This was received as a sign that the gods had selected that spot for their future home. Accordingly there was established upon that spot, in the year 1325, the nucleus of the pueblo of Tenochtitlan; that is, "the place of the *Tenuch*," or *nopal*.

This became the famous city of Tenochtitlan, or Mixtli of the time of Cortés, the Mexico of to-day, and which, it may be said once for all, occupies throughout the book the center of the stage.

We are treated to a considerable account of the conquest, which is perhaps surpassed in elements of barbaric and heroic glamour by no other chapter in the history of the Americas. It is hardly necessary to say that the romance which has beclouded the conquest has not been dispelled in this account. Marina, the leap of Alvarado, the *Noche Triste* are still intact. Another point here, in passing. Montezuma is deliberately spelled Moteczuma! For this there can be no legitimate excuse. Moteczuma may have been discovered by Mr. Noll to be the correct spelling of the name of the fated Aztec warrior-king, but it is too late a day to compel the English public to accept such a form. One might as well insist on Colombo rather than Columbus.

The long period of the viceroys is little calculated to inspire one with respect for Spanish governmental institutions, for to follow the *Short History* there was developed no national life, and Nueva España or Mexico was hardly more than a vague territorial expanse, bordered on most sides by the unknown. As exemplifying detail and accuracy (p. 121) we learn that the successor to Viceroy Rivera "was Don Tomas Antonio Manrique de la Cerda, Marques de la Laguna, y Conde de Paredes. His reign is marked by the sack of Vera Cruz by the famous pirate, Agramont, and by the colonization of Texas and California." This will prove edifying, for the marquis retired from power in 1686 and the first settlement in Texas was made four years later. In connection with this may be noted (p. 123) that the Count of Galve accomplished the conquest of Texas in 1691! One might be tempted to inquire what manner of conquest this was. Also it might be pertinent to remark that surely the viceroys had small matters to engage them, when (p. 143) the suppression of the Nolan expedition into Texas by Marquina is chronicled as one of the two or three great events of his reign!

The chapter dealing with the revolution of Mexico is most unsatisfactory. While the author grasped some of the leading elements which fomented the rupture, his carelessness in details and in the presentation of the facts is utterly inexcusable. The tale of the outbreak, the *Grito*

of Dolores, is largely fiction ; and nowhere in official annals can warrant be found for the figures given of the insurgent forces — they are estimated at from 50,000 to 60,000 (p. 151) when at Celaya. Much further from the truth is the statement that Guanajuato was sacked and "the people found therein were put to the sword". It is needless to pursue the subject, but mention ought to be made of the conflicting accounts that the two books give of the trial and execution of Hidalgo, Allende, Aldama, and Jimenez at Chihuahua. In the *Short History* (p. 156) they are all executed July 30 ; in *From Empire to Republic* (p. 49) the three generals were shot "some time in June", while Hidalgo was executed July 31.

The comparatively difficult period of Mexican history, beginning with the success of the revolution and leading down through the Mexican War and the empire of Maximilian, remains for us comparatively difficult, though *From Empire to Republic* has elucidated many of the problems left in most unsatisfactory state in the *Short History*. But even here one cannot rely, apart from other testimony, upon the facts reported. For the student of European history it will prove engaging to learn (*From Empire to Republic*, 24) that "For many years, Spain had been under the spell of the French Revolution", and that the treaty of San Ildefonso (p. 25) was made in 1801. Equally erroneous is Mr. Noll's statement (p. 48) that Hidalgo "attempted to send a commissioner to the United States ; but the commissioner was made a prisoner by the Spaniards." As a matter of fact Bernardo Gutierrez, a commissioner from Hidalgo, made his way to Washington, where he received no recognition, and, returning to Louisiana, in conjunction with Magee led the most famous of all filibustering expeditions into Texas, routing three Spanish armies. Another point just here : Santa Anna's army (p. 134) is made to appear to be 8,000 strong at the battle of San Jacinto, which was won by the Texans, yielding them their independence. The inference (p. 155) that Texas and Mexico ever maintained diplomatic relations is palpably erroneous ; as is also the statement of causes of the Mexican War (p. 160). Want of judicious attitude is perhaps nowhere shown more forcibly than when lauding the work of President Diaz : "A system of public schools has been built up which is surpassed by nothing elsewhere in the world" (p. 302).

This notice cannot be concluded without remarking that the author has taken certain liberties with the Spanish language. He writes, for example, Manuel Godoy and Carlos María Bustamante, omitting the *de*, which is tantamount to missing the name altogether. Again, he adopts the forms Qquiches, Casas Grandes (if there is more than one the reviewer never heard of them), and Moteczuma (of which mention has been made) ; omits the accent from such words as Querétaro, Bolívar, Alhóndiga, but places it on Goliad ; and translates *golpe de Estado* "a blow to the State". One typographical error is serious : in the *Short History* (p. 134) Galvez is made to assume the viceroyalty in 1873. In fine, spite of the formal bibliography appended to *From Empire to*

Republic, it is evident that Mr. Noll failed to make the most of his opportunities, and we can but regret with him that no "comprehensive history of Mexico exists in the English language".

WALTER FLAVIUS MCCALED.

A History of the United States for Secondary Schools. By J. N. LARNED. (Boston: Houghton, Mifflin, and Company. 1903. Pp. xxx, 623, 78.)

MR. LARNED tells a story effectively; the many transitions necessary in a text-book are handled skilfully; the logical grouping by topics, rather than the common arbitrary arrangement by geographical divisions and presidential administrations, merits all praise. No other volume will give the young reader so vivid an impression of some important periods and movements.

Seventeen maps are grouped conveniently into an atlas at the front of the volume, and smaller maps are sprinkled plentifully through the text. Other illustration there is none. The bibliography contains about 350 titles, many single titles covering ten or twelve or a hundred volumes. The list is not adapted to the needs or possibilities of secondary schools. At first one might suppose it designed to indicate the author's reading; but, turning to the suggested readings for students, in three passages taken at random I find reference to Kingsford's ten-volume *History of Canada*, Force's *American Archives*, the *Works of Adams, Jefferson, and Franklin*, Dickinson's *Writings*, the New York state documents, and *The Annual Register* for 1765, besides such special or costly studies as Winsor's *Memorial History of Boston*, Frothingham's *Siege of Boston*, Hosmer's *Hutchinson*, Tudor's *Otis*, Morley's *Walpole*, and Fernow's *Ohio Valley*. In another respect these "Suggested Readings" and "Topics" at the close of the chapters are unsatisfactory: the topics are little more than a repetition of the headings of sections and paragraphs in the text, and the even distribution of references among all topics alike can afford no guidance to the pupil. Moreover the arrangement is wasteful. Chapter XII., "The Jackson Period", contains only twenty-seven pages, but the topics and references at the end take eight pages.

These superficial blemishes are not the worst. The book does not show the spirit or the results of the best scholarship. With at least three recent and admirable text-books already in the field, the public expects the maker of a new text on American history to have intimate and critical acquaintance with some important parts of the subject. Evidence of such qualification is not forthcoming. The book is the work of a gentleman of wide reading and good taste, but not of a historian or a teacher.

To illustrate the more serious faults, I take the treatment of England's commercial policy toward her colonies (pp. 111-113, 128, 132, 133). The old accounts by Bancroft, Hildreth, and Frothingham are followed, and to these writers almost exclusively students are sent for fur-

ther reading. "English" ships, in the meaning of the Navigation Acts, are represented as excluding colonial ships. A highly inflamed and misleading piece of rhetoric from Bancroft is quoted through a half-page of fine print. Lecky's more scholarly treatment is referred to twice in the "Readings", but one of these references is upon a point in which Ashley has shown Lecky at fault. There is no indication that the author knows of the light thrown upon the whole subject by such writers as Channing and Ashley, to say nothing of the special studies by Egerton, Beers, or Miss Lord. An excessive number of minor errors characterize the work. To enumerate them in detail is obviously impossible in this review. I select three periods, and mention for each those misstatements which can be indicated briefly. First, in the early colonial period the London Company (p. 36) is confused with the London merchants who provided financial aid to the Pilgrims. The false idea that the Massachusetts Bay Company's charter was exceptional and liberal in character is strongly emphasized (p. 39). The account of political development in Massachusetts Bay (pp. 65, 66) is crammed with errors. The charter did not provide for "twelve" assistants, but for eighteen, and in the early period after coming to America the company never elected even as many as twelve, though we are expressly (and needlessly) told both these things. "At the outset" the assistants did not elect the governor—not until after a great unconstitutional usurpation, which is ignored in the account. The representative legislature was not created in the "third year" but in the fifth; and it was not composed as stated by Mr. Larned. As such misstatements might lead us to expect, the spirit of the period is wholly missed. The passage regarding Winthrop's terms of office (p. 45) is not important, but it is not correct. The colonial charter of Rhode Island did not restrict suffrage to freeholders (p. 430): that restriction, of course, was established by statute some sixty years after the date of the charter. It is astounding to read (p. 129) that "never elsewhere does there seem to have been such madness" on the subject of witchcraft as at Salem. The statement (p. 62) that the Virginia Assembly of 1619 was "probably the first colonial legislature in the world since those of the ancient Greeks" flatters the Greeks and depreciates the later Romans and the very much later English colonists in Ireland. The allusion to the Ordinance of 1621 (p. 62) implies the non-existence of the greater Charter of 1618. The expression "nullification of the charter by James" is an unhappy way of alluding to the revocation of the Virginia Company's charter (p. 76).

Passing down about a century, and a hundred pages, I note the following points in the treatment of prerevolutionary days. The Stamp Act is said to have "imposed a direct tax" (p. 164). The Regulators of the Carolinas appear as warring solely against "royal" authorities (p. 171). The allusion to the Mecklenburg Resolutions ("which are claimed to have been the first demand for independence", p. 197) will countenance the exploded legend for the audience to whom this book is

addressed. It is wholly improper (p. 172) to style the Watauga Association "the first practically independent commonwealth on American soil", whether or not the words are meant as a quotation. The great Intercolonial Committees inaugurated by Virginia (p. 173) ought not to be confused in character or origin with the merely local committees within Massachusetts, or within any other colony. Foolish as were the acts of the government of George III., we hardly expect in this day to hear a sober text-book apply to them the epithet of "atrocious despotism" (p. 175). The whole account gives an undue impression of unanimity among the colonists and practically ignores the respectable loyalist element.

Omitting about another hundred pages, I note a few statements regarding the establishment of the Constitution and of the government under it. Washington did not "consent in December" (p. 257), nor for some months after, to accept his appointment to the proposed Philadelphia Convention. It was not the Ordinance of 1784, but only the clause in it regarding the exclusion of slavery, which Congress "did not adopt" (p. 264). John Adams did not receive "a majority of the second votes" (p. 266). The passage (p. 274) on Hamilton's financial policy can leave no other impression than that the continental currency was redeemed in full. The Constitution did not "require" the importation of slaves to be stopped in 1808, as stated on page 320.

W. M. WEST.

A Catalogue of Notable Middle Templars. By JOHN HUTCHINSON, Librarian to the Honorable Society of the Middle Temple. (London: Printed for the Society. 1902. Pp. xiv, 284.)

A Calendar of the Middle Temple Records. Edited by CHARLES HENRY HOPWOOD, K.C., one of the Masters of the Bench. (London: Published by order of the Masters of the Bench; sold by Butterworth and Company. 1903. Pp. xxiv, 268.)

UNTIL within the last few years very little has been known of the history of the four inns of court—Gray's Inn, Lincoln's Inn, and the Inner and Middle Temples—wherein the English law-student eats his dinners and performs the exercises antecedent to a call to the bar. Sir William Dugdale, of whose *Origines Juridiciales* nearly the whole of the first edition was burned in the fire of London, was the principal authority on the subject and, in fact, almost the only reliable source of information. He had access to the manuscript records of the four inns, and it is only during the past eight years that his extracts have been supplemented to any considerable extent.

Since 1896 the Honorable Societies of the Inner Temple, Lincoln's Inn, and Gray's Inn have printed portions of their records and also of their admission registers. In that year, too, Mr. C. H. Hopwood edited an old manuscript dated 1739, containing *Observations on the Constitution Customs and Usage of the Honourable Society of the Middle Temple.*

To this book have now been added two others. In one Master Hopwood has made a calendar of the minutes of the parliament of the inn from 1501 to 1703 upon the lines adopted in the publications issued under the direction of the Master of the Rolls. To this have been added extracts from the account-books of the inn between the years 1637 and 1800. The result is a volume affording many items of information concerning the history of the inn. It is possible to trace the erection of the different blocks of chambers and the method of raising the cost of them. Of course there is constant mention of the noble hall that for more than three centuries has been the center of the life of the inn. It was the scene of the meetings of the governing body, whose proceedings provide a résumé of the rules and constitution of the inn, and of the masques and revels to which, at one time, the members paid considerable attention. As the round Temple Church is under the joint control of the Middle and Inner Temples, the minutes of the parliament also afford some information concerning that notable building.

The other volume is by Mr. Hutchinson, librarian to the Middle Temple. The plan upon which he proceeded was to search the admission-books of the inn for the names "of such Englishmen or others, being British subjects, as have been considered deserving of a place of record in any standard work of British Biography". The result is a list containing nearly one thousand names, to which he has added biographical notices for the sake of ready reference which "contain only the salient facts in each instance". The value of the work lies in the information drawn from the registers. It has revealed the fact that a large number of men were members of the inn of whom it is not generally known that they had the least connection with it. Some were admitted *honoris causa*, while others were entered at the inn by their fathers, who were members before them, and did not pursue their studies. It must be remembered, too, that a course at one of the inns of court was considered part of a liberal education, so that young men who had no intention of practicing law joined the fellowship and afterward attained high positions in the state or in some other walk in life. In looking through this *Catalogue*, therefore, one cannot fail to be impressed with the point upon which Mr. Hutchinson justly lays stress, and that is the varied activities to which members of the Middle Temple have at one time and another contributed, not only by their writings in almost every department of intellectual activity, but also by their actions.

Drake, Frobisher, Hawkins, and Raleigh are among those whose names may be found as members of the inn in the sixteenth century. Armagil Waad, commonly known, though with slight justification, as the English Columbus, is thought to have been a member. His admission would probably have occurred between the years 1524 and 1551. The volume covering that period has been missing, unfortunately, for a long time. In 1596 George Sandys, a son of the archbishop of York, who was for some years afterward a troublesome resident in Virginia, was admitted to the inn, and in the following year George Percy, one of the

Northumberland family, who acted for some time as deputy-governor, but left, shortly before the arrival of Sandys, in 1612. The dedication to the laws of Virginia, published in 1662, stated that the author of all the best was Governor Sir William Berkeley, so that he may be regarded as having made good use of his training at the Middle Temple. *Virginia Impartially Examined*, by William Bullock, was written from chambers in the inn and contains an admission that the author had never seen the country of which he pretended to write a description.

The remarkable feature in the *Catalogue* is its revelation of an indirect contribution by the Middle Temple to the history of the United States at a most vital period. Among those who signed the Declaration of Independence are to be found Thomas McKean, admitted May 9, 1758; Charles Carroll of Carrollton, admitted October 19, 1751, and called to the bar November 22, 1754; Thomas Heyward, admitted January 10, 1765; Arthur Middleton, admitted April 14, 1757; and Edward Rutledge, admitted January 12, 1767, whose elder brother John had been admitted October 11, 1754, and called to the bar February 8, 1760. The *Catalogue* also includes the names of John Dickinson, the "Pennsylvania Farmer"; Arthur Lee, who was also a member of Lincoln's Inn; William Livingston, admitted October 29, 1742; and Peyton Randolph, admitted October 13, 1739, and called to the bar February 10, 1743. There seems, then, to be substantial ground for the claim that by the legal training imparted under its auspices the inn assisted to provide a sound foundation for the Federal Constitution and laws, as well as for those of the states.

To make a list only of those whose names are known throughout the world would take more space than there is at my disposal, but mention may be made of one other distinguished member. Although the *Catalogue* is confined to those who are dead, Mr. Hutchinson has made an incidental reference to the fact that King Edward VII. is a bencher and ex-treasurer of the Middle Temple.

A note may be added of one or two points in the *Catalogue* which will require attention in any future edition. Anthony à Wood states that it was in October, 1686, that Elias Ashmole, then a barrister of twenty-six years' standing, refused a call to the bench and not "a few days" after his call to the bar. According to Joseph Foster's *Alumni Oxonienses*, Peter Stafford Carey graduated in 1825, not 1829. "Mr. Frankleyn, Dean of Windsor", who, as stated in the *Calendar*, was "released from the Society for a fine of £3", seems to be an omission from the *Catalogue*, as a notice of him is included in the *Dictionary of National Biography*. On pages 72 and 196 are blemishes for which the printer is responsible, and in the notice of James Bainham "Chertsey" should read "Chelsey".

C. E. A. B.

Jean Calvin: les Hommes et les Choses de son Temps. Par EMILE DOUMERGUE, Professeur à la Faculté de Théologie de Montauban. Tome II., *Les premiers Essais.* (Lausanne : Georges Bridel et Cie. 1902. Pp. xii, 815.)

THE first volume of Professor Doumergue's monumental work brought Calvin as far as the publication of the *Institutio Christiana*, in 1536.¹ The second volume, the preface of which is dated at Montauban, November 25, 1902, portrays him, in turn, in Italy, at that strange ducal court of Ferrara, where the sister of a French king, bound by a political marriage to the son of Lucretia Borgia, was endeavoring to live secretly according to the Reformation and to protect a church after her own heart; at Geneva, where the future reformer is retained by William Farel in order to commence his life-work; at Strassburg, where he spends three years in exile, years of initiation into great duties and large responsibilities; finally at Geneva once more, whither, in 1541, the Councils recall him, ready to follow unreservedly the guidance of his genius. M. Doumergue has entitled this part of his work *Les premiers Essais*, and has dedicated it to the memory of that revered guide whose loss the historians of the French Reformation feel every day more keenly — Aimé-Louis Herminjard.

In accordance with the comprehensive plan which he has followed from the beginning, the biographer of Calvin takes the opportunities offered by his hero's various abiding-places and numerous meetings with representative men to present to his readers a complete series of studies in antiquities and in the history of civilization. Not only does he narrate, in great detail and with a wealth of illustration and documents, the histories of Ferrara, of Strassburg, and of Geneva, up to the day of Calvin's advent, but Frankfort, Hagenau, Worms, and Ratisbon, where the reformer stopped on occasions of theological lectures and discussions, form the subjects of veritable monographs. M. Doumergue has taken the trouble to visit all the places of which he speaks, and what is more, he has seen them with seeing eyes. With the aid of numerous reproductions of prints and original drawings, and with the further aid of his pen, which he handles like an artist's brush, he restores to them, as he passes through, their sixteenth-century aspects, and with his true explorer's enthusiasm he carries us, in spite of ourselves, along with him. We return from that journey through time and space with an infinite stock of information. I cannot assert that we return unwearied. The enthusiasm of the biographer for everything which, directly or indirectly, relates to his hero cannot sustain, at least to an equal degree, the attention and interest of all his readers, and for the majority of them he lingers too long over that which has only a remote bearing. Possibly the very wealth of illustration at his disposal is responsible, in some measure, for this defect. The rapid development of processes of reproduction has in a few years doubled the suggestive power of history. The

¹ See the AMERICAN HISTORICAL REVIEW for January, 1902 (VII. 350 ff.).

author who can have recourse to it without limit should not forget that the assimilative power of his reader has not proportionately increased, and that if he does not limit himself through a severe process of selection, he runs the risk oftentimes of confusing rather than clarifying.

Another danger for the historian results from this coöperation of the illustrative art—that of being allured by it away from his legitimate highway into the flowery paths of historical romance. M. Doumergue, sincerely and earnestly desirous as he is of producing a critical work, does not always quite escape this peril. Here, for example, is his method of introducing Calvin as he arrives at the court of Ferrara in the beginning of the year 1536:

Enfin voici deux gentilshommes, qui s'avancent vers le groupe où péroré "le poète gallique" [Clément Marot]. L'un d'eux est regardé par quelques-uns avec une attention particulière, faite de respect et de curiosité. Il est vêtu tout de velours noir; sur sa tête est une toque de docteur, de même étoffe, et une collerette blanche lui serre le cou austèrement, mais non sans élégance, cependant. Il tient un de ses gants blancs à la main et laisse voir, à l'un de ses doigts, un anneau d'or. Sa figure est à la fois sévère et noble, quoique fatiguée par des veilles, dirait-on, ou des soucis. Mais ses yeux sont grands et fendus avec finesse, et tout son être respire une distinction particulière, une simplicité de bon ton, qui le met également à l'aise avec les savants et avec les dames.

C'est un gentilhomme récemment arrivé, qui se fait nommer Charles d'Espeville, c'est Calvin (p. 45).

A note indicates that this description follows the beautiful portrait from Hanau reproduced at the beginning of the volume. That would be well enough if the portrait in question were beyond all doubt that of Calvin at the time of his travels in Italy. But it is to our knowledge without signature or date, or designation as representing the features of the reformer, or of the reformer at that period, except as it is so designated by a local tradition, the criticism of which is not presented. At the beginning of his first volume M. Doumergue has reproduced the famous enamel of L. Limousin, dated 1535, which he styles, also after a tradition, "Calvin à l'âge de 25 ans". It is difficult to admit that these two portraits represent the same person. In the iconography of Calvin, which is announced for a subsequent volume, the learned professor of Montauban will manifestly be compelled to give up at least one of the two. It is evident that before writing the page just quoted he mentally sacrificed the enamel by Limousin. But it is unfortunate that after having placed this apocryphal portrait as a kind of frontispiece to his work, he should later replace it by another, which he uses as he might a document from the archives, without giving us on the spot the opportunity of weighing his reasons.

Men and affairs in Geneva occupy, as is proper, a place of first importance in this second volume. Here we find a résumé of the history of that town under episcopal rule and a living picture of the beginnings of the Reformation in Romance Switzerland in general. This narrative and description, for the first time brought together, will

be a great boon to foreign historians. But here become more and more evident the truly insurmountable difficulties against which Professor Doumergue brings up when he endeavors to carry out his gigantic plan with that wealth of information, that superabundance of details, which I have already criticized in his first volume. It is beyond the power of any one man to make a documentary study of that great mass of material which he has worked into the body of his exposition. Where the ground has already been broken by works of real value his treatment is excellent. His résumé has life and color, and is to the point. But not nearly all the ground in his vast field is in this condition; much of it is still lying fallow, to speak from a strictly scientific point of view, and right there is where he is inevitably, fatally, at a disadvantage. Indeed he would have done better in the interests of scientific truth had he not tried to cover such portions.

The history of the Geneva of the bishops has not been written, nor can it be until the collection of documents for that period has been utilized by a local historian or placed at the service of all by publication. M. Émile Rivoire, a Genevan lawyer, who is at the same time an archivist, has begun at his own expense the editing of the registers of the Council.¹ But he has thus far brought out only the registers for the years 1409-1461, and after Volume II., down to 1475, which is already in press, and the numerous volumes which should follow, in order to exhaust this source of information, it will be necessary to collect the parchments still dispersed from the *Chapitre des Chanoines*, the reports of the pastoral visits in the diocese, and the registers of the civil and religious corporations. It will also be necessary to have recourse to the records, still so little known, of the Councils of Fribourg and of Berne. All this will necessitate investigations which have not as yet been systematically made, and expenditures of money at present far beyond the slender means at the disposal of Genevan scholarship.

Thus it is that M. Doumergue's résumé is subject to revision.² It is not strictly true, as he asserts, that the syndics, elected annually by the townsmen, alone had the right to administer justice in criminal cases. The bishop retained the power of pardoning and the right to remove all cases to his own tribunal. It is not strictly accurate, either, that the bishop and the *vidonne* (*vicedominus*), as temporal lord, swore each year to the syndics to respect franchises. Such a showing of the facts may give rise to erroneous conclusions as to the respective positions of the ecclesiastical prince, his feudal deputy, acting ministerially through an official who was himself called *vidonne*, and the medieval commune (p. 98), etc.

In his exposition of the events which took place at Geneva toward the end of 1536, and especially his account of Calvin's début in his rôle

¹ *Registres du Conseil de Genève*, Tome I., Geneva, 1900.

² Reference ought to be made for those times to a deserving study of this period by an American historian, Professor H. D. Foster, in the *REVIEW* for January, 1903, "Geneva before Calvin".

of reformer, M. Doumergue has profited by the works not only of Herminjard, the old master of Lausanne, and of the professors of Strassburg, but also of F. W. Kampschulte, of Carl A. Cornelius, and of Amédée Roget, all three of whom he opposes and criticizes, sometimes justly, but sometimes, also, according to my own view, unjustly. Here his narrative assumes a totally different character, and the care and talent which he displays recommend it as the most complete and best yet written, with that single reservation which I have already made in my former review : this account is the work of a combatant, of an orator, writing in a country and at a time when the war of pen and speech is being waged more fiercely than ever, who has taken for his task the avenging of the greatest memory, the most enduring system of thought that French Protestantism can invoke.

Calvin's long stay in Germany ; his activity as pastor of the French community of Strassburg, and as representative of the imperial city in religious conferences held in the empire ; his personal relations with Bucer, Hédion, Capiton, the two Sturms, and Melanchthon, all these furnish his latest biographer with some excellent pages wherein may be found assembled a great mass of information hitherto scattered through a large number of special works, and wherein many current errors are corrected. The liturgy of the Calvinistic worship, broadly outlined as it was by its founder at that time, forms the subject of a learned study, based on the notable works of Dr. Alfred Erichson. In the course of this chapter M. Doumergue deals with the question over which there has been so much controversy, of Calvin's ideas in regard to religious art. He demonstrates with abundant proof that in this respect the reformer was neither the Bœotian nor the Vandal that some have wished to make him.

Finally, I refer the reader who is pressed for time and who desires to select in this enormous folio one or two chapters of value and of particular bearing to those which the author has entitled "Calvin et Melanchthon", "Calvin et Luther" (pp. 545-561, 562-587). The attitude of the head of the French Reformation toward the German Reformation is characterized authoritatively and truly. Calvin did all that fell to him to do, to be the conciliator between Luther and Zwingli. If he failed, if Protestant unity has not been realized, it is because the successors of the monk of Wittenberg have been more Lutheran than Luther.

Calvin a conciliator ! Is that to say that Calvin was a man of gentle, tender, conciliating character, or that he always acted as such ? That is a thesis dear to his biographer, against which I offered some reservations when I reviewed, in these pages, his first volume (*AM. HIST. REV.*, VII., 350-353). M. Doumergue has taken up my criticisms in a series of public lectures at Geneva and then at Lausanne, in which his ringing words and his incomparable talent as an orator have received universal applause. As these lectures have been collected and published, I refer the readers of my review to them.

I said that "the historians who have studied him most closely" during the period when he was molding Geneva "have not brought back from their study a sympathetic feeling, as far as his person is concerned. They could no longer feel his heart beat." M. Doumergue, quoting this phrase, with some words of friendly deference for his critic, begs his audience to permit him to perform before them a new auscultation of the action of his hero's heart. In the process of this operation the lecturer cites a certain number of instances in which Calvin himself laughed joyously or approved the gayety of others; then, after calling attention to what he terms "son excessive nervosité", he cites a less number of instances in which the reformer wept or lamented; finally he insists upon the strong friendship and the deep devotion which he was able to inspire.

I do not cast doubt on any of these assertions, nor do I dispute any of these illustrations, based as they are on the best sources. It is sufficient for me to observe that most of them date from Calvin's youth, and that not one belongs to the exact time of which I have spoken. When my eloquent colleague of Montauban shows me, in one of his succeeding volumes, Calvin yielding to emotion while conducting in Geneva a criminal prosecution against one of his opponents, I will admit that History—I do not speak here of Legend—has misjudged him; and of all of Calvin's spiritual sons I shall not be the last to rejoice.

But, not to part with M. Doumergue at this point of difference, I beg leave to quote from one of his lectures which I have just mentioned a passage which seems to me to be characteristic of his talent, and which will, I trust, inspire in many a desire to read him. After showing that Calvinism is inseparable from individualism, which is its greatest creation in the social order, he ends his lecture by bringing before the eyes of his audience, as with a stereopticon, the colored picture which follows:

Au milieu se dresse Calvin, sa Bible à la main. À gauche, sont les différents groupes, formés par les tenants de la vieille doctrine païenne, de la cité antique, de l'Église théocratique, d'après laquelle l'individu n'a de droits que ceux que la société, État ou Église, lui confère, toujours maîtresse de les reprendre. Dioclétien et Galère tendent la main à Philippe II, au duc d'Albe, à Charles IX. Dracon et Torquemada s'entendent avec Marat, et les membres de tous les Comités de Salut public. Jean-Jacques, un peu à l'écart, écoute et rédige les pages de son Contrat social. Groupes sombres, où Rembrandt lui-même n'aurait pas trop de toute sa virtuosité dans le clair obscur, dans le contraste des ombres et de la lumière, pour indiquer l'horreur noire, rendue visible par le rouge fulgurant d'une flamme d'autodafé, par le reflet sinistre d'une mare de sang rouge, aux pieds d'une guillotine.

À droite, sont les différents groupes formés par les tenants de l'idée moderne, l'idée de l'Évangile et de la Réformation, d'après laquelle l'individu apporte ses droits innés, divins, sacrés, à la Société chargée de les protéger et de les combiner. Les disciples, amis intimes de Calvin, rédigent ensemble, aux pieds du maître, leurs pamphlets célèbres, véritables catéchismes des droits de la démocratie, et Knox, et Goodman, et Hotman, et Duplessis-Mornay, et Théodore de Bèze. Plus loin, ce sont les combats terribles des Puritains écossais, anglais, pour le maintien de

ces droits. Ici ce sont les *Pilgrim fathers*, qui vont emporter ces droits précieux, imprescriptibles, sur les côtes d'Amérique. Là c'est Roger Williams, qui faisant pendant à Rousseau, écrit enfin ces droits dans le pacte fondamental de la cité nouvelle, baptisée du beau nom: Providence. Tandis qu'au bas du tableau, juste au-dessous de Calvin, sur le bureau de l'assemblée nationale, que le Réformateur semble à ce moment présider, Lafayette dépose solennellement le projet de Déclaration des droits de l'homme de 1789, projet qu'il vient de rapporter d'Amérique, lui, le Français Lafayette, ramenant en France l'idée du Français, chassé de France deux siècles avant, Calvin.

Et toutes ces scènes, et toutes ces visions, à gauche d'un passé qui s'en va (et je ne nie pas tout rayon lumineux), à droite d'un avenir qui s'approche (et je ne conteste pas toute ombre néfaste), me rempliraient cependant d'une joie et d'une espérance sans mélange, si, à l'abri même du bureau de l'assemblée nationale, je ne voyais un mauvais Génie, tenant en main les chartes de Droit américaines, puritaines, genevoises, évangéliques, et biffant l'un après l'autre tous les termes religieux, et effaçant l'une après l'autre toutes les traces d'origine biblique, de telle sorte que la célèbre Déclaration des Droits de l'homme, originairement conçue par des croyants, devient peu à peu la Déclaration des droits de l'homme mise en pratique par des non-croyants. Les mots restent; l'esprit change.

Calvin regarde le mauvais Génie avec des yeux terribles d'indignation. Le mauvais Génie regarde Calvin avec le sourire d'une ironie diabolique.

Et tandis que le tableau s'évanouit, je comprends certains reproches adressés à l'individualisme révolutionnaire. Mais Calvin en est innocent.¹

CHARLES BORGEAUD.

A History of Japan during the Century of Early Foreign Intercourse (1542-1651). By JAMES MURDOCH, M.A., in collaboration with ISOH YAMAGATA. (Tokio, Japan; Kobe, Japan: Chronicle Office. 1903. Pp. viii, 743.)

THIS book has been written on Japanese soil by one who, using a half-dozen languages, after reading long in the great libraries of Europe, and after years of research and critical comparison of native and foreign authorities, has completed a great work, which will doubtless help handsomely in stimulating the Japanese to produce something like real history. The bulk of what is called history by the Japanese, who indeed make this department the first in their literature, is for the most part dry annals or imaginative or partizan presentations of certain phases of the national story. What Europeans are most eager to know is very apt to be left out, as being of little importance, while for anything like history before the fifth century we have our choice between a vacuum and a rather luxuriant mythology that yet awaits a critical explorer. Mr. James Murdoch, a teacher during many years in southern Japan, begins his portly volume with an introductory chapter which contains, with an outline of chronology from the seventh century, a very luminous account with a running commentary. We are then brought to that moment

¹ *L'Art et le Sentiment dans l'Œuvre de Calvin*, Société genevoise d'édition, Geneva, 1902.

when the empire of Japan was mostly "a weltering chaos of warring feudal atoms" and when Europeans first visited the crescent line of islands. The first visitor, however, was not the traditional Mendez Pinto of the copyists, though he was very early on Japanese soil. To the initial coming of the Portuguese, various dates from 1534 to 1545 have been assigned, that of 1542 being generally accepted as the correct one by the missionaries subsequently in Japan. It was in the same year that Iyeyasu, who was to give the whole of the country a government under which it should be at peace for two centuries and a half, first saw the light.

The Japanese have lived under three systems of feudalism. The first, the rude one, before a fixed capital was chosen, under which one-ninth of the soil was held for the mikado and eight-ninths for the chiefs and the people. The second, or Kamakura period, began to develop in 1192 under duarchy, when the regents made office hereditary in their own nominees. The third began its course when Yedo was made the seat of government, and duarchy and feudalism received their consummate elaboration. It was at the breaking up or toward the end of each of these three systems, in the sixth, twelfth, and sixteenth centuries, that the three great waves of civilization from the west rolled in upon Japan — the first from China through Korea, the second from Europe through Portugal and Spain, and the third, after Perry's time, from Christendom chiefly through the English-speaking peoples. The second series of western influences, beginning in 1542 and lasting roughly for a century, gave Japan a mighty development, which has never wholly ceased. These influences, together with those steadily poured in upon the Japanese intellect from the Dutch, increasing in volume and potency until the revolution of 1868, show that the Japanese were never, in any strict sense a "hermit nation", but were receiving forces that have enabled them to be what they are in this year of their grapple with Russia.

Mr. Murdoch's pages show that the Japanese were then the same eager people with a passion for borrowing and imitation, but, as they are now, with power to adapt to their own uses what they adopted. In most of the books heretofore written on this "Christian century", we have what is in the main an ecclesiastical story with much about martyrs and confessors. In Mr. Murdoch's hands it is vastly more. Though he seems to trouble himself very little about "the economic interpretation of history", we find that the coming of the Portuguese wrought in Japanese statecraft and economical development mighty changes, which persist to the present time. Among these we notice the origin of the native gold and silver coinage, made to supply the needs of foreign trade. It was these outsiders who developed Japanese mining and ship-building. The Japanese were as eager then as now for instruction and for foreign trade. They adopted quickly every new invention and science, and were not at all inclined to be hermits. Indeed they patronized the foreign priests in order to bring in trade. The rulers wanted firearms, gunpowder, ships, and curious machines of all sorts even more than a new way of salvation.

This was the era of able men who came to the front, broke up the old traditions of appointment to office on account of birth or favor, and made merit display itself and receive its reward. In this century we have the three great unifiers of the nation, Nobunaga (1533-1582), who gave Buddhism almost its death-blow as a political force; Hideyoshi, or the Taiko (1536-1598), who humbled all the daimios to the exaltation of the mikado and then gave employment to an army, almost national in its spirit, by invading Korea; Iyeyasu (1542-1616), who carried out the Taiko's great plans, made a government that men of mediocrity could carry on, and gave Japan that long peace in which she has nourished her strength for twentieth-century enterprise.

Mr. Murdoch's proportion of text is about equal in space for each of these three heroes. He brings under review both the Dutch and English as well as the Portuguese and Spaniards, and shows vividly the clash and interplay of forces with abundant reference to original authorities, while every page reveals his power of analysis and his acquaintance with the elements of the theme. There are numerous maps, prepared by his Japanese assistant, and some of these, illustrating the feudal divisions of the empire, are exceedingly valuable and interesting. The author punctures many a bubble of tradition, showing that instead of the "two million" Christian converts there were never more than 300,000. Their quality for the most part may be easily imagined, when it is seen so clearly on these pages that the methods of conversion usually employed were those of political force, so congenial to men hailing from countries in which the Inquisition and the auto de fe were institutions. That Christianity in Japan was political, and that the Japanese, loving foreign trade as they did, refused to pay the price of the probable loss of political independence for it, is shown in the fact, vouched for by the Spanish missionaries themselves, that numerous Christians in the civil war at Osaka in 1615 had joined the rebel army. On their banners, besides the cross and the image of the Savior and patron saint of Spain, was the legend "the great protector of Spain". The king of Spain, who had had the Japanese coast surveyed, demanded half the output of the mines. No wonder then that Iyeyasu bolted the doors of the empire. As to the literary form of Mr. Murdoch's history, there is much to be desired. The use of slang and not a little undignified phraseology mars the sterling value of the matter. Although covering little more than a century of time in its scope, this volume will be exceedingly useful in correcting the multitudinous errors found in those books on Japanese history which, unlike Mr. Murdoch's, have been compiled from late deposits rather than from early sources.

W. E. GRIFFIS.

Champlain, the Founder of New France. By EDWIN ASA DIX, M.A., LL.B. [Historic Lives.] (New York: D. Appleton and Company. 1903. Pp. 246.)

SAMUEL DE CHAMPLAIN, founder and governor of New France, was one of the most interesting characters of his generation. Probably no

other person in the long and picturesque history of the French régime in North America is silhouetted so strongly against the background of popular tradition, unless it be Father Marquette and possibly Count Frontenac. Living in the golden days of chivalric adventure, when Europeans were discovering and planting new worlds beyond the great waters, and science had not yet unveiled the thousand mysteries of the wilderness, none surpassed the deeds of this simple-hearted, pious, daring, and imaginative Biscayan.

At first a lieutenant in the army of Navarre, fighting gallantly in Brittany, the peace which made a king of Henry IV. turned Champlain free to achieve adventure elsewhere. In Spain he was commissioned to sail his uncle's ship to the Caribbean Sea and transport Peruvian treasure across the Isthmus of Panama—a two and a half years' service (1599–1602) filled with glowing adventure. Returning to his sovereign's court, where he was granted the pension of a favorite, he was in 1603 sent out to the St. Lawrence to report on the Sieur de Chastes's trading and colonizing venture there. In this voyage he ascended with Pontgravé to Lachine Rapids and noted how admirably situated was this mighty river for the portal to an empire. In 1604 he was back again in Canada, this time with both De Monts and Pontgravé. The tercentenary of their discovery of the spacious harbor of Port Royal, now Annapolis Basin, will be appropriately celebrated by the Nova Scotia Historical Society during the last week of June, 1904. The winter of 1604–1605 was spent by the crews on an island in Passamaquoddy Bay, and the two following at Port Royal. During four successive seasons Champlain scientifically surveyed and mapped the shore between Cape Breton and Cape Cod, becoming acquainted with the harbors of Boston and Plymouth fifteen years before the landing of the Pilgrims and nine years before the arrival of Captain John Smith. Champlain's advice that the colony be placed on the St. Lawrence, nearer to their savage customers and farther from possible attack by rivals, prevailed with De Monts and the king, and in 1608 he was sent out as governor of New France. In July, planting his little settlement with its back to the wall of Quebec, Champlain defied savage enemies, the forbidding climate, the meager soil, and all the numerous train of obstacles that at first beset European colonization in the North American wilderness, and here laid deep the foundations of New France. By the time of his death (December 25, 1635), he had spread the sphere of French influence as far as the interlocking streams which in Wisconsin form the principal canoe route to the Mississippi, had personally conducted explorations to the shores of Lake Huron and the banks of the Mohawk and the Hudson, and through the active vehicle of intertribal barter Paris-made utensils and weapons had reached the most distant tribes of the continental interior.

Lacking vanity, Governor Champlain comported himself with a dignity which won universal respect, from the gorgeously-bedecked king at Versailles to the naked Montagnais savage in his filthy wigwam on the Ottawa. Self-centered, with calm poise, admirable self-control, rare

patience, steadfastness, of purpose, sanity of judgment, tactfulness, a piety that was remarkable even in his day, and courage undaunted, we also find in him one of the most lovable and sympathetic of companions. The romance of his situation appealed strongly to his nature, and he was passionately fond of wilderness exploration. His services to mankind were still further enhanced by his love of authorship, which led him to publish the carefully-prepared journals of his richly-varied experiences, and embellish them with maps and sketches, works which to-day are among the most fertile sources for the history of New France and New England.

Amid the richness of his materials, Mr. Dix obviously has suffered from the embarrassment incident to the condensation of his story into the narrow limits imposed upon the writers in this useful series. Nevertheless he has given us a well-executed, highly readable sketch, properly sympathetic, and displaying excellent powers of analysis, with well-trained sense of historical perspective. He would be a sorry biographer who could write a dull book concerning such a hero, and Mr. Dix has certainly succeeded in making an unusually interesting volume. If, after such acknowledgment, one be allowed a parting sentence of criticism, it would be to the effect that the biography might have been still more acceptable had the author given us a clearer picture of the men and life of New France during Champlain's romantic career; the governor's personality stands forth with some distinctness, but we find the background somewhat hazy.

R. G. THWAITES.

The Philippine Islands, 1493-1898. Edited by EMMA HELEN BLAIR and JAMES A. ROBERTSON. Vol. X., 1597-1599; Vol. XI., 1599-1602; Vol. XII., 1601-1604; Vol. XIII., 1604-1605. (Cleveland: The Arthur H. Clark Company. 1904. Pp. 318, 319, 324, 318.)

WITHIN the limits of a brief review, one cannot hope to touch critically upon the nature and contents of the sixty-odd documents upon early Philippine history which these four large octavo volumes present us, or even to catalogue the documents, which are in various instances the composites of a number of letters or reports upon certain subjects. This is especially evident when it is noted that nearly 350 of their 1,279 pages are occupied by the first English version that has ever appeared of the *Relation of the Philippine Islands* published at Rome in 1604 by the Jesuit father Pedro Chirino, which relation is one of the four or five printed sources of prime importance for the study of early Spanish history in the Philippines and of the primitive state of the Filipinos.

Copies of the original edition of Chirino's work are, of course, very rare, although the editors have had access to two which are owned in the United States. A second edition of the work was printed in Manila in 1890, in Spanish, and this is quite readily obtainable. Its republication,

and in an English version, at this time is particularly interesting in connection with the appearance of a new Spanish edition of the work of another Philippine Jesuit, Francisco Colin, to which American collectors of Philippina are having their attention invited, as Colin's work of 1693 was based mainly upon Chirino. The editor of this new Colin, Pablo Pastells, also a Jesuit, and formerly superior of his order in the Philippines, more recently a collaborator with Retana, has assisted the editors of this work by contributing some notes in connection with the translation of Chirino. These are mostly of a biographical nature, with reference to the early Jesuit missionaries mentioned by Chirino, and may be assumed to be exact, but those of another sort are not free from error: some of the errors, with regard to geographical names, etc., may be the proof-reader's, but it is the father himself whose attitude on Philippine politics will not let him mention José Rizal as the editor of the 1890 edition of Antonio de Morga's history. He gives the impression that there are seven Roman Catholic bishoprics in the Philippines, but it is now generally supposed that the three new bishoprics which Pope Leo projected in 1902 will not, after all, be created. He follows his Jesuit brothers in affirming that the Bagobos, a hill tribe of southern Mindanao, make human sacrifices, something that is not yet established; moreover, it should be stated that the Bagobos are not Malays.

This digression is made with reference to the notes on Chirino, because there is not yet enough care and evidence of a mastery of Philippine history displayed in the annotations of this work as a whole, while at the same time the editors are evidently making efforts toward improvement in this respect. Rare opportunities for elucidation of the material they have in hand are still frequently overlooked, however, and such notes as we have are more commonly biographical or explanatory of translations. On the whole, even though the editors are not yet prepared to bring to the assistance of their readers in this respect the benefit of a wide reading and thorough survey of Philippine data, they will probably do better to keep this matter in their own hands; some of the assistants whom they have had thus far are disqualified by scant reading and bias. The editors themselves need to comprehend that merely a citation from Concepción, Montero y Vidal, or others may mislead unequipped readers; one needs constantly to check a statement made by one writer on the Philippines by that of a dozen others, more or less. When sifted down, the rather numerous notes upon the Chirino relation are really of quite scant service to the critical reader, especially as there are no bibliographical helps in connection with the few passages on Filipino customs, the really important parts of Chirino's book. One notes also some confusion on the geography of Mindanao; a reference to Father Pastells's preceding note would have shown that the Punta de Flechas (he calls it Puntas Flechas) was not Cape San Agustín; so, in Volume X., the annotator's confusion of Lake Liguasan with Lake Lanao brings the Spaniards into the region of the latter fifty years too soon.

The unwary reader may easily be led astray by Chirino's careless assumptions and positive expressions on various matters very much in doubt. Where he is plainly an eye-witness, however, with experience sufficient to qualify him as an authority, his observations are most interesting; it is thus that his statements about polygamy, temperance, idolatry, etc., among the Filipinos should be weighed. His evident friendliness toward the natives helps to place a higher value upon his statements. His rambling repetitions of tales of the conversions and of miracles in connection therewith are such as abound on many hundreds of pages of Philippine "history"; but his account and the letter of Father Vaez, another Jesuit, reproduced in Volume XI., are more interesting because about the earliest of this sort of documents.

In some way or other, the friar question of course enters into nearly all the documents presented in these four volumes. The Augustinian province of the Philippines is, according to the testimony of some of its own members, sadly demoralized; these members charge it upon the recruits from Mexico. Archbishop Santibáñez, in 1598, says Governor-general Tello is without a semblance of a virtue; his successor, Benavides, is quite as critical of the civil authorities, and betrays a marvelous interest in matters of trade, also great animus against the Chinese. We find there are about 300 friars in 1600, mostly recent recruits. When the king sends out a new governor-general in 1602, it is revealed that Tello, who was recalled, had been sent to the Philippines owing the Seville House of Trade some \$40,000; if he had made it in the colonial post, he had at least not paid it. Governors, judges, and other officials, also ecclesiastics, are keenly concerned over the restrictive trade policy, all wanting the other fellow's ox gored; our national legislators will find much food for thought in Volumes XI., XII., and XIII., especially when read in the light of our own colonial history. Chinese immigration, or Chinese expulsion, were also current Philippine questions three hundred years ago; it was in 1603 that upward of 15,000 Chinese were slaughtered in and near Manila, the Spaniards probably not being quite so blameless as the documents these volumes present us might indicate. Three years before, the colony had been threatened by Dutch privateers, and the work of conquest in Mindanao was, as so often afterward, abandoned for the time being, to the detriment of Spanish prestige with the Moros.

One might criticize some of the documents selected for presentation as not sufficiently consequential, and on the ground that the readers of this series would better be served by presentation of some of the earlier printed sources, now rare and difficult to obtain, or by the saving of space for more significant documents covering the later and more important periods of Philippine history. It is interesting to note, however, as indicating in one way the improvement upon earlier volumes of the series, that practically all the documents of these four volumes have been obtained from the original manuscripts in the archives at Seville. On the whole, the translations improve, though here and there one feels an itch-

ing for the original text. The "prefaces" cannot, in accordance with the plans of the editors to make them mere abstracts, be other than colorless; one finds them superfluous, since they do not contribute anything to the documents themselves. After all, these criticisms are rather ungracious, in view of the improvement that has been made and is being made as the work advances and the editors gain a wider grasp of their material.

JAMES A. LE ROY.

Ledger and Sword; or, the Honourable Company of Merchants of England trading to the East Indies (1599-1874). By BECKLES WILLSON. (London, New York, and Bombay: Longmans, Green, and Company. 1903. Two vols., pp. xii, 452; iv, 438.)

THE preliminary work on the history of the East India Company has been done. The necessary materials—the court books, factory diaries, consultations, and correspondence—were all preserved with conscientious care by the company. In recent years nearly all of this material, along with much from state papers and other sources, has been made accessible to historical students by the excellent work of Henry Stevens, Birdwood, Sainsbury, and others. The stones have been quarried, but they still await the master builder to construct the edifice worthy of such material. Sir William Wilson Hunter's *History of British India* is a worthy attempt, but, in addition to the fact that it is incomplete, it is not essentially a history of the company, while the works of Gleig, of Mill, and of Thornton are not modern.

In the present work Mr. Willson does not aspire to become the great historian of the company. He sets himself the task of telling "the full story, from birth to burial, . . . in a 'popular form'", and this he accomplishes with much skill. It would be unfair, however, to dwell too much on the popular character of the volumes. Mr. Willson's work shows much study and intimate knowledge of the sources. It has besides the decided merit of adhering consistently to the story of the company, instead of wandering off into the alluring byways of the history of India. Nor is the history of the company subordinated to that of its servants, as is so generally the case. The life and policy of the company's home office in Leadenhall Street as contrasted with the empire-building in India, the *Ledger* as contrasted with the *Sword*, are the phases emphasized.

The history of the East India Company covers the period from 1599 to 1874. In taking the earlier date, 1599, rather than the commonly accepted date, 1600, Mr. Willson lays stress upon the genesis of the society before the formal merging of the Association of London Merchants into a chartered company known as the "Governor and Merchants trading to the East Indies", but as the charter was not granted till December 31, 1600, and the first voyage set out in that year, it is altogether probable that the date 1600, so long associated with the company's

origin, will stand. In his main divisions of the company's history the author follows the usual lines, although the different periods are not so strongly emphasized as one might wish. The great change in the character of the company's activities after Clive's victories, says Mr. Willson, quoting from Wheeler's *Early Records*, "marked the close of the mercantile period, when the English in Bengal were traders and nothing but traders" (I. 138); a statement which requires modification to bring it into harmony with his protest against the view of many historians who attribute to the early period a commercial activity only. For, he says, citing Macaulay, "commerce was its object; but in order to enable it to pursue that object, it had been, like the other Indian companies which were its rivals, . . . invested from a very early period with political functions" (II. 411). Nevertheless from the middle of the eighteenth century onward the political activities of the company, its exercise of territorial sovereignty, making of treaties, coining of money, etc. (II. 126 ff.) rapidly overshadowed its commercial activities. How clearly this was foreseen by Clive the author shows by citations from an interesting letter to Pitt in January, 1759, in which it is suggested that the exercise of "so large a sovereignty may possibly be an object too extensive for a mercantile company"; and that the great design would be well "worthy of the government's taking into hand". As is well known, the government did not take the matter in hand, and the company remained as sovereign in India till the India Act of 1858. Sixteen years later, in 1874, the East India Company was dissolved.

Mr. Willson has a keen sense for the life and thought of England underlying the development of the company. The vigorous activity of the age of Elizabeth is conspicuously present in the early pages. The frequent citations from contemporary literature are often very apt and illuminating. On the other hand, there is a woeful lack of historic setting from the standpoint of general European conditions. There is no adequate explanation for the beginning of the Dutch and English ventures in "the long acknowledged hunting grounds of the Portuguese" (I. 39); no mention of the Spanish control in Portugal beginning in 1580 and lasting till 1640; no hint that as a consequence of this control of Portugal the trade between Lisbon and the north of Europe had come to a sudden stop—the English and particularly the Dutch were forced to follow trade to its source; nor does Mr. Willson rise to his occasion when he treats of the place of the company in the development of English history. Its long life and consistent policy stand in strong contrast to the kaleidoscopic changes in the political history of England. Parliaments and monarchs passed away, but the company remained. Among its servants more than on a throne are to be found the typical Englishmen. In the light of this remarkable independence of the company and the contrast in this respect with the position of the Dutch East India Company, one is rather disappointed not to find some comparative statement of the points of difference in the internal organization of these two great rivals, and of their respective relations to their governments.

There is an occasional lapse of dignity in the style and presentation, as, for example, in the choice of chapter-titles. Even in a popular work such headings as "The Portuguese Laughed Too Soon", "Sir Josiah Overrides Tribulation", must appear somewhat striking. Others again, as for example, "The Governor-General Fights, the Company Pays", "The Doom of the Ledger", are very suggestive. The chapter on the "Muse in Leadenhall Street" has a peculiar charm. It affords us a new point of view of the familiar figures of Lamb, Sir Josiah Child, and John Stuart Mill, in the large rooms and atmosphere of the India House. The portraits and illustrations are well chosen, though in a number of cases no clue is given as to the source from which they are drawn. There is no index.

W. E. LINGELBACH.

The English Church from the Accession of Charles I. to the Death of Anne (1625-1714). By the REV. WILLIAM HOLDEN HUTTON, B.D. [A History of the English Church, edited by the late Very Rev. W. R. W. Stephens, D.D., and the Rev. William Hunt, M.A. In 8 vols., Volume VI.] (London: Macmillan and Company, Limited; New York: The Macmillan Company. 1903. Pp. ix, 368.)

HAVING given this book a careful reading, it seems to me that Mr. Hutton has not done himself justice, and that the book is less helpful and interesting than he might have made it, if he had not been hampered by the necessity of writing according to the plan made for him by the editors of the series in which it appears. Take the matter of references. The general reader considers them as only disfigurements of the page, while they are very dear to the scholarly reader and essential to the student. The plan adopted by the editors is to give no foot-notes, and to put no numbers or other signs in the text referring to references or notes at the end of chapters or of the book, but to append to each chapter a paragraph headed "authorities" in which mention is made of the sources used in its preparation. It is presumably somewhere in the mentioned "authorities" that the quotations made in the chapter occur. But as it manifestly would require an acquaintance with the authorities equal to the author's to enable one to locate these quotations, the editors' plan seems to me poor. It would have been better to give at the beginning of the book an annotated list of books and other sources used.

The limited space at Mr. Hutton's disposal has also, apparently, hampered him. He has met the demand for conciseness by limiting himself rigidly to the direct concerns of the Church of England during the period. But thereby he has decreased interest in his narrative very much and also rendered it unintelligible to those readers whose only knowledge of the period is derived from this book. Again, the editors insisted on objectivity. They bore in mind that the period assigned to Mr. Hutton was the seed-time and harvest of Nonconformity, still, alas,

extant and very sensitive; and as it was important to spare its feelings, they reminded Mr. Hutton that if in the period the Church of England came in for mighty rough handling, she did some equally rough handling herself. Her ability to pay in the coin in which she had been paid was unquestionable, and in the game with dissent she could always go one better. So they told Mr. Hutton to restrain his High-church proclivities and let the facts speak for themselves, whereas he would have liked to do the talking through a megaphone.

Restriction in the amount of quotation has, however, hampered him most of all. He has been unable to use much of the accumulations he had made and has had to give sentences when he wanted to give paragraphs. The pity of this restricted use of quotations is all the greater when we perceive how far afield he went to gather them. Already master of the general and familiar literature of the period, he has sought the recondite, and so we have in this book a surprising number of quotations from and allusions to fugitive pieces, the true Parthian arrows of the period, shafts sent oftentimes with great effect by those in pretended flight. He makes liberal use of those clandestinely written and still more secretly printed handbills, pasquinades, lampoons, squibs, and other non-literary but tremendously virile productions, which had a mushroom-like growth and a Jonah-gourd-like ephemeralness, but goaded the Gulliver of the Church of England to madness. Mr. Hutton has also read many of the sermons of the period, especially the funeral sermons, which got into print in the same way as they do to-day. Admiring friends of the preacher request "a copy for publication", and when it is in print they glance at it, wonder why they had asked for it, and sell it unread to some passing junk-dealer. But the historian finds all these printing-press products just spoken of raw material, out of which to weave his fabric. Owing to his restriction, those used by Mr. Hutton in this volume, though numerous, are so miscellaneous and of such bewildering brevity that the reader is not so much helped as he might have been by fewer but longer pieces.

The result of this hampering, this attempt to write a volume to fit some one else's ideas as to what it should be in length and contents, is very much to weaken it. It is tame when it should have been stirring. The period, though in some aspects repulsive, for neither Assent nor Dissent can contemplate it with satisfaction, was one which tried men's souls. But Mr. Hutton has failed to interest us in his theme. We shed no tears when England's martyred king lays his head on the block at Whitehall; we raise no huzza when William III. establishes Protestant supremacy. The facts are all there, diligently collected and admirably marshaled. We feel the grip of the master. But we do not feel the pulse throbbing at the wrist; the hand itself is cold. When, however, Mr. Hutton has finished his narrative proper, he gives us three chapters, entitled respectively, "The Church in Relation to Political Theory and to Literature", "The Religious Societies and Missionary Work", and "Church Life, 1660-1714". These chapters are so admirable, so deeply interesting,

written so *con amore*, that they exhibit Mr. Hutton's mastery of material in a way altogether delightful and make us think that the whole volume might have been equally good if he had not been hampered.

Opposite the title-page is an outline map: "England in Dioceses during the 17th. Century". The lettering must have been done by a map-maker, not by a printer, otherwise there would not have been a period after "17th" as if it were a contraction! There are two appendices, one a helpful chronological list of "some principal events", the other a table of rulers and of archbishops in England during the period. There is also an index, but it is inadequate.

SAMUEL MACAULEY JACKSON.

William Penn as the Founder of Two Commonwealths. By AUGUSTUS

C. BUELL. (New York: D. Appleton and Company. 1904. Pp. vii, 368.)

THERE are many biographies of William Penn, and every new one should show some cause for existence. Fresh documents are being discovered and much old material in the library of the Historical Society of Pennsylvania and elsewhere has not been fully worked over. The excuse for this volume does not seem, however, to lie in a careful examination of this hitherto undeveloped matter, but in a new view which the author chooses to take, based on the data accessible to all past historians. There are many traces of careful examination of certain old authorities, but through it all there are very manifest the opinions of the writer, expressed with much vigor and reiterated with a persistence which makes an indelible impression. The book is interesting and forcible throughout, and the reader arises from its perusal with certain well-defined views of its teachings. The style is vigorous, but often drops into the colloquialism of the daily press, as: the Puritan "made the climate torrid for his adversaries"; "the nation, having all the cunning and none of the right, cheats the eye-teeth out of the nation"; "There was throughout Quakerdom what the average Cockney would call a 'blue funk'"; and so on in great abundance.

The position which the book takes with regard to William Penn is that he was a great statesman and a good man, whenever he was able to get away from the malign influence of George Fox and the Quakers. His constitution for West Jersey is said to be "the greatest code in popular government that has fallen from the pen of mortal man" (p. 97), and eulogies on his character and goodness are plentiful enough to satisfy his greatest admirers. This greatness and goodness are, however, entirely apart from his religion. That was a mass of "visions or whims or chimeras". He was originally "hypnotized" by Thomas Loe, and all his life through was "held in mental subjection by the vagaries of George Fox". Whether the two views are compatible may be left to the decision of the readers. The author says, "it is impossible to comprehend it", and leaves us without any explanation or attempt to

harmonize. The view advanced by the historians Prescott and Bancroft, as well as by most of Penn's biographers, has been that, so far from there being an irreconcilable difference between his religious views and his political actions, they were strictly related as cause and effect — that civil and religious liberty came inevitably into the Quaker mind as a logical result of the attitude of George Fox and his co-laborers toward religious and moral subjects.

A few errors of fact may be found in the book. The famous Indian "walk" occurred in 1737, not in 1733, as stated in two places. Penn did not say of himself, as our author states (p. 134), but it was said of him by James Claypoole, that "he aimed only at equal justice". The fact that the twelve miles from New Castle was measured along the river, rather than due north, had nothing to do with bringing the boundary between Penn and Baltimore south of the fortieth parallel (p. 165). Penn did not ask, when offering to sell his colony to the crown and proposing conditions to protect the Quakers, anything which was "at variance" with "universal equality" (p. 314). Joshua Carpenter was not a Quaker (p. 349). The president of the council was not independent of proprietary appointment or control (p. 352).

But the most serious difficulty of Mr. Buell is his inability to understand Quakerism, and his willingness to adapt facts to the task of securing basis for his abounding satire and invective. There are many pages from which some illustration of this tendency could be drawn. One or two will suffice: The contemptible ruse of Governor Evans in May, 1706, to bring up a false report of the near approach of the French ships to Philadelphia and surprise the Quakers into rash acts, failed utterly, because the more responsible of them went to their midweek meeting as usual, in much quietness and dignity. Some women were frightened and ran away, and some men hid their plate. Our author says, "The meeting-houses were emptied . . . The Quaker part of Philadelphia — more than half — became absolutely depopulated." To Isaac Norris's statement that "Not a Friend of any note behaved but as becomes our profession," he adds, "meaning, of course, that not a Quaker of any note failed to run." The non-combatant views of the Quakers are always attributed to "pusillanimity", and even modern arbitration and The Hague Tribunal are scouted, as being in some way descended from them. When the author stated that "the sect has never produced a man who made any permanent impress upon human affairs or accomplished anything worth enduring record except William Penn", he might also have excepted at least John Bright and John G. Whittier. The simple Quaker marriage ceremony, than which nothing in Christendom has been kept more inviolably, is referred to in this rather coarse way:

One of Penn's Quaker biographers (Lewis) in describing this marriage [Penn's second marriage], uses the phrase "led her to the altar." Lewis ought to have been expelled for that phrase. In Quaker estimation it was the rankest kind of paganism. He should have said, in Orthodox Quaker form, "took her by the hand in presence of witnesses, signed the book, and then led her to the nuptial chamber."

Upon George Fox is the author's heaviest displeasure and misrepresentation heaped. "Perfection . . . being reached only by him who prayed all the time and worked not at all" is his travesty on Fox's doctrine of divine communion. "Fox's special decalogue", a phrase Mr. Buell borrows from Montanus in his life of William III., and uses many times, caused the Quaker "to flout the old decalogue, if for no worse or better reason than that God had revealed it to Moses instead of to George Fox". "Rant", "boorishness", "affectation", "fanaticism", "bigotry", are terms freely thrown about where Fox is considered, and nothing is seen in his peculiar teachings which tells of equality, spirituality, or truthfulness.

Our author would doubtless find it difficult to appreciate the judgment of a scholar like Professor William James (*The Varieties of Religious Experience*, 7):

The Quaker religion which he [George Fox] founded is something which it is impossible to overpraise. In a day of shams, it was a religion of veracity rooted in spiritual inwardness, and a return to something more like the original gospel truth than men had ever known in England. So far as our Christian sects to-day are evolving into liberality, they are simply reverting in essence to the position which Fox and the early Quakers so long ago assumed. No one can pretend for a moment that in point of spiritual sagacity and capacity, Fox's mind was unsound.

ISAAC SHARPLESS.

South Carolina as a Royal Province, 1719-1776. By W. ROY SMITH, Ph.D., Associate in History at Bryn Mawr College. (New York: The Macmillan Company. 1903. Pp. xix, 441.)

THERE has been in recent years a marked awakening of interest in the scientific study of colonial history, and South Carolina has had its fair share of attention. The annals of the colony under the proprietary and royal governments have been, in the main, admirably told by the late General McCrady. Mr. W. A. Schaper's prize essay on *Sectionalism and Representation in South Carolina* is a suggestive treatment of the economic and social forces underlying the political life of the colony and state. There had also been published somewhat earlier Dr. Edson L. Whitney's systematic account of the *Government of the Colony of South Carolina*. In spite of these earlier studies, there was room for a thoroughgoing and independent examination, based upon materials still largely unused, of the actual working of the provincial administration. This work has been done by Dr. Smith in his *South Carolina as a Royal Province*.

In order to judge the book fairly, it is important to understand at the outset the limitations which the author has evidently set himself. He has not attempted to rewrite the annals of the province, nor, except incidentally, to review its economic and social development. There is even comparatively brief treatment of political movements except so far as they found expression in the acts of official personages or assemblies. The

task which he has undertaken is to describe the mechanism of the provincial government, the manner in which some of its more important functions were performed, and finally the friction between local and imperial policies which developed under the provincial system and became one of the chief causes of the American Revolution.

In the opinion of the present reviewer, Dr. Smith is to be congratulated on having done an unusually clean and thorough piece of work. His predecessors in this field had depended mainly on material already in print. The present work is based largely upon manuscript public records in the archives of the state. This mass of material has been used with good judgment and with a self-restraint and capacity for compression which are not usual in treatises of this kind. On many points, of course, the author's new material does not essentially alter the conclusions of previous writers. In some instances, however, there is a distinctly fresh treatment of important issues. This appears, for example, on a comparison of Dr. Smith's treatment of the land and currency controversies during the administrations of Middleton and Johnson with the corresponding portions of McCrady's *South Carolina under the Royal Government*.

After a brief but effective summing up of the main constitutional tendencies of the proprietary period, there are three chapters on the land system of the province, dealing primarily with problems of administration rather than with the strictly economic aspects of the subject. The next three chapters describe the structure of the provincial government, the executive, legislative, and judicial departments. The working relations between the province and the British home administration are partially considered in a chapter on the "Colonial Agents". It would seem, however, that the writer might at this point have introduced with advantage a systematic account of the general British system of administrative control as applied to this particular colony, gathering up here some threads which are now dispersed through a number of other chapters. After this examination of the structure of the government, its functions are considered in the chapters on "Militia and Defense" and "Financial History". The latter includes excellent accounts of the paper-money controversy and the disputes between the council and the "Commons House" with regard to money-bills. The concluding chapter is entitled "The Downfall of Royal Government". Attention is largely concentrated on the conflict between the assembly on the one side and the governor and council on the other, rather than on the origin and growth of the popular Revolutionary movement, the author's purpose being to show that the final break with the mother-country was largely the result of the old conflict between the popular and "prerogative" elements in the provincial government.

The appendix contains a number of official lists, corresponding in general to those given in McCrady's *South Carolina under the Royal Government*, but worked out in some cases to different results. The table of contents and index are both good. All in all, this monograph may be regarded not merely as an important contribution to the history

of South Carolina, but also as one of the essential books for the general student of colonial institutions.

EVARTS B. GREENE.

In a perfervid introduction to *The Memoirs of Rufus Putnam and Certain Official Papers and Correspondence* (published by the National Society of the Colonial Dames of America in Ohio; compiled by Miss Rowena Buell, and well printed by Houghton, Mifflin, and Company, 1903, pp. xxxvi, 460), Senator Hoar confidently assigns Putnam to that galaxy composed of the "few men to whom it has been given to stand at the parting of the ways, or the parting of the waters, to turn the currents of human history and to determine the destiny of States and Nations". Students of the history of the old Northwest will regard the foregoing statement rather as a thesis than as a conclusion. Senator Hoar's "impregnable foundations" for so enrolling Putnam are, first, that before, during, and after the passage of the Ordinance of 1787 Putnam was responsible for the exclusion of slavery from the Northwest Territory; second, that at the beginning of the Revolution he compelled the evacuation of Boston by the British; third, that he saved Washington's army in New York "at the single most trying and dangerous period of the Revolutionary War".

Without committing oneself as to the historic accuracy of the estimate which Senator Hoar first placed on Putnam's work and worth at the Marietta centennial celebration in 1888, and which he now reiterates, it is quite within bounds to say that the memoir and papers given to the world through the Colonial Dames of Ohio are invaluable additions to the fast-gathering materials for an adequate history of the territory northwest of the Ohio. Moreover, the memoirs help materially to dispel the mystery surrounding the seemingly incredible achievements of the men who laid the foundations of the republic. For example, Washington asserted that Putnam was the most capable engineer he discovered in either the French or the American army. Putnam himself speaks of it as one of "those singular circumstances which I call providence" that at the opportune moment when Washington had put upon him the burden of fortifying Dorchester Neck, he chanced upon a copy of Muller's *Field Engineer*, from which he learned how to construct that particular kind of defense known as a "chandelier"; but that book, valuable as it was to the amateur engineer, must have been but foolishness to a mind not trained, as Putnam's had been by hard experience and keen observation under "the fortress builder", General Amherst, during the French and Indian War. As it happened, the new knowledge was used to the incalculable advantage of the Americans. Also, we may be sure that the training Putnam gained as a surveyor in Maine and Mississippi was exactly the schooling needed to develop the founder of Ohio.

The memoirs cover the period from Putnam's boyhood in 1738 to his removal from the office of Surveyor-General in 1803, during the Jeffersonian era of removals for political reasons. The omissions are

numerous ; and one has to be thankful for what is bestowed, regretting that there is not more detail in Putnam's narration of events of highest moment. To a certain extent the letters supplement the memoirs ; and in several instances the correspondence reveals a master mind dealing with new and all-important questions. For instance, Putnam's reply to Washington's request for opinions on a peace establishment for the United States after 1783 showed a clear comprehension of the methods of protection for the western frontier ; and had his simple, logical, and adequate advice been taken by Congress, thousands of lives and millions of dollars would have been spared. In his letter to Fisher Ames, in 1790, arguing for the retention of the western territory by the United States, Putnam shows at once the courage, the calm judgment, and the prophetic insight of a statesman. The western country, he argued, might be driven by neglect into the arms of England or of Spain ; both self-interest and inclination attach the people of that territory to the United States.

A touch of humor all unconscious is given to the volume by the retention of Putnam's unique variations on the orthography of his own day, diverse as it was. Indeed there is difficulty at first in reconciling great mental capacity with a tendency to spell the same word in two or three different ways on the same page. Nor does Putnam confine his eccentricities to himself ; when he copies a letter or a document he gives to it his own peculiar impress. Thus within the space of three lines he makes Washington write "completed immediately", "agreeable", and "servent" : and Secretary Knox's official pen is brought to indite such absurdities as "ben", "compell", "endevor", and "esteme". Doubtless Fisher Ames recognized the force of Putnam's argument as to the antagonism of interests in the case of the British in Canada and the Western settlers ; but he must have smiled over such a sentence as "a few by permission from Lord Dotchester, or Somebody else, may cary goods into the Indian Country. but the returns must be made to Quebeck. Surely this Government can never Suit their genus nor be for their intrest."

It would have been a decided help if the correspondence had been divided into chapters with brief introductions showing the sequence of events by adverting to leading occurrences, such as the adoption of the Ordinance of 1787, the founding of Marietta, the campaigns of Harmar, St. Clair, and Wayne, and the Jay treaty ; also the Putnam chronology might well have included the dates of his birth and death, together with somewhat more extended information of a biographical character.

CHARLES MOORE.

The American Revolution. Part II. By SIR GEORGE OTTO TREVELYAN, BART. (New York, London, and Bombay : Longmans, Green, and Company. 1903. Two vols., pp. xi, 353 ; ix, 344.)

MANY of us remember the pleasure and satisfaction with which we read years ago *The Life and Letters of Lord Macaulay* and *The Early*

History of Charles James Fox. In the life of Fox we found biography and history presented in their most charming form and most intimate relations, we saw a style that was peculiar, personal, almost quaint but always fascinating, and we discovered that the author had a remarkable sureness and deftness of touch that could come only from much thought, long study, and clear-headed appreciation of facts. The first volume of the present series we took up with misgivings; we dared not hope that the author after a silence of twenty years would speak so clearly and winningly as before, but our misgivings soon disappeared. Here was the same charm, the same wealth of allusion, the same evidence of living familiarity with Sandwich and North and all the rest, a familiarity which had bred much more than contempt. Here too was the old capacity for coining epigrams that were for some curious reason not forced or artificial or stilted but seemed to run into the lines as simply and naturally as did prepositions or commas.

What then can be said about the volumes now before us? Are they as attractive as their forerunners? The only one who can give a satisfactory answer probably is some one who does not know the forerunners — a contradiction of course, and yet perhaps the safest guide would be the judgment of some one to whom Sir George Trevelyan came as a novelty and a surprise. If we must confess that these new books do not hold us as before, to what can we attribute the difference? If the difference is not in ourselves, perhaps we miss the spicy gossip from London, perhaps there is too much space given to intolerant old Dr. Johnson and highly respectable John Wesley, perhaps we do not care so much to read of Washington's failures at New York and his successes in New Jersey as we do of the knaveries of the so-called statesmen of Westminster. With all the author's remarkable knowledge of American life one hundred and twenty-five years ago, with all his power to dwell on the little illuminating things that seem to grow big under his touch, we wonder whether he really knows America as well as he knows the London of Fox and Burke, and whether in the midst of all this familiarity there is not a certain far-awayness that destroys the illusion of reality. And yet none of us is so beyond his prime that he can fail to rejoice in the skill with which the author treats such men as Weymouth — one of those splendid rakes whom George III., defender of the faith, gathered about him in his effort to uphold the dignity of his empire. "He so far mended his ways", we are told, "as to take to wine; and he could converse over it brilliantly and agreeably until that hour of the morning when the banquet had lost all resemblance to a feast of reason. . . . The first, and perhaps the most important, of Weymouth's public services was to enable an English prime minister to ascertain the low-water mark of character which would qualify a nobleman for the occupation of Dublin Castle." Certainly such satire could not be surpassed by Juvenal in meter, while, in comparison, much of the writing of Junius seems awkward. Of Fox's speech on Lord North's non-intercourse bill, the author says: "It was common-sense, red-hot; and Ministers did not venture to touch it except

with the very tips of their fingers." The author's severest castigation is reserved for Shebbeare, one of the malevolent pensioned pamphleteers that sought by their pens to fight the battles of the ministry: "His first literary effort was a lampoon on the surgeon from whom he had received a medical education; and his last was entitled 'The Polecat Detected'; which was a libel, and not, (as might have been supposed,) an autobiography." It is difficult to forbear quoting one more sentence, which is chosen because it is thoroughly characteristic of the author's amusing practice of joining together the tangible and the intangible, the real and the tropical, in the same sentence: "Oppressive prosecutions of publishers and printers in the King's Bench alternated with angry, and sometimes undignified, debates in the House of Lords; and Mansfield too often had to pick his way back out of the tumult with his composure ruffled and his ermine soiled." Such writing as this is not so common that we can afford to pass it by without comment, and if it strikes the sober-minded historical scholar as flippant, let us say that it becomes flippant only in the hands of the inexpert imitator, who may think that antithesis and homely metaphors make up for paucity of knowledge.

The value of the books does not lie, for the American reader at least, in the narration of the military campaigns. These are of course interestingly told, with a wealth of personal reference and in such a way that the reader does not for a moment look on the army as a mere machine; it is always made up of human beings. But those who are not already acquainted with the main strategy of the war will be likely to become at times hopelessly confused; for the writer does not hesitate to ramble when he wishes to, and the reader is generally content to ramble with him. The chiefest interest, once again, is in the treatment of English politics, in the author's earnest endeavor to show that the people of the mother-country were ill-represented by Parliament and that they did not sympathize with the oppressive measures of the ministry. One feels that the author has undertaken an enormous task and one is unwilling to confess that he has thoroughly established his position. But he has beyond question given us much to think about, and has shown his usual ingenuity in gathering his evidence from all sorts of neglected corners. The last half of the second volume is taken up with a consideration of English conditions during the war and is most valuable and entertaining reading. He discusses the contemporary fears for English liberty and shows how real many men thought the peril to be; he discusses the newspapers, the pamphleteers, the opinions of the historians of that day, the feeling of the cities, the nation and the war, the talk of men, the loyalist exiles; and if one is not convinced that the author's conclusions are altogether unassailable, one is gratified for an array of interesting and telling facts that throw new light on the Revolution and give it new human meaning.

Thus far the author has reached only the early part of 1777. Are we to have several more volumes? Can he treat in such detail and with so much illumination the next five years? Possibly he does not care to, and anyway he has now in great measure told his story. As far as Eng-

land is concerned, we have before us Trevelyan's view of the American Revolution, but we would wish him length and strength of days to finish the tale after the American revolt expanded into a European war. On the American side much remains to be done; here too the conflict was a party conflict, and the author has not as yet succeeded in presenting the confusion and upheaval of the quarrel on this side of the water—the social reactions, the influence of frontier sentiment, the neighborhood feuds, the border strife, the political manœuvring and chicane, the greed for pelf, the self-sacrificing devotion, the plenty and want, the nobility and sordidness of the American Revolution.

A Century of Expansion. By WILLIS FLETCHER JOHNSON, A.M., L.H.D. (New York: The Macmillan Company; London: Macmillan and Company. 1903. Pp. xi, 316.)

DR. JOHNSON'S book is a popular account of the territorial growth of the United States. He points out the fact that American expansion is something more than geographical extension, that it involves the life of the people and is a continuation of the movement that began with the planting of the colonies. Upon this theory he devotes the opening chapters to the struggle with France for the possession of the Ohio, to Clark's conquest of the northwest, and to the treaty that closed the Revolution. This conception of the subject is admirable, but unfortunately the author's knowledge is unequal to its adequate treatment. Errors of detail are numerous. Among them are mistakes in dates and proper names; the stories of a Jesuit seminary at Kaskaskia, of the Flathead mission, and of Whitman's saving Oregon, and the statements that England purchased New York from Holland in order to secure a continuous sea-coast, that the taxes which caused the Revolution were imposed to meet the expenses of the French and Indian War, and that Jefferson sent Lewis and Clark overland as a part of his campaign against France for the possession of Louisiana. Nor are the general impressions conveyed accurate. The account of the peace negotiations at the close of the Revolution is badly warped. There is no appreciation of the difficulty of the position in which a dual alliance placed France, nor of the game which England played in order to detach the United States from France, but relations with England are represented as "particularly cordial". In the whole book Botta is the only authority cited upon this subject. In the case of Texas there is no presentation of the various elements that entered into the situation; the two annexation movements are not distinguished, but the acquisition is charged chiefly to the rapacity of Andrew Jackson. Most misleading is the discussion of the Oregon treaty, which is characterized as a "monstrous betrayal" and a "criminal concession", whereas in fact we were irrevocably committed to the line of the forty-ninth parallel and secured in that boundary all that we could reasonably ask.

The legal opinions set forth by Dr. Johnson are even more amazing than some of his historical statements. He derives the power to acquire

territory from the assertion of the Declaration of Independence that the United States have full power to do all things which independent states may do. This of course includes the power possessed by other states to acquire and govern colonies, and in this, as in all other respects, the United States must be the peer of any. He further argues that the power, originally derived from the Declaration of Independence, is confirmed by the provision of the tenth amendment to the Constitution reserving to the people the powers not delegated to the United States. The power to acquire territory, not having been delegated to the United States by the Constitution, is therefore "reserved to the people, and is to be exercised by them as their other legislative and executive powers are exercised, through the general government" (p. 106). As to the precise mode of exercise, the author is not clear. Texas, he says, should have been acquired by treaty, if at all, but, although devoting the longest chapter in the book to the acquisition of the Hawaiian Islands, he does not suggest that there is any question of the constitutionality of acquiring by joint resolution territory which is neither admitted nor intended ever to be admitted as a state.

The author's ideas of national rights and obligations are hardly less confused than his opinions upon constitutional law. In the preface he says that the story of expansion is "not all pride and sunshine. The nation has not always acted wisely and well. There are things to condemn as well as to commend. Acts are not always necessarily right just because our own country performs them." In the body of the book, however, every aggressive step, except the annexation of Texas and the Mexican War, is accorded unqualified approval. He claims that we exercised a protectorate over Cuba in the interest of Spain which rendered us responsible for the peace of this island; that withdrawal from the Philippines would have been a "course . . . worthy only of a pirate"; that we have a natural right to seize the Isthmus, should transit be unreasonably or arbitrarily denied; that we have a "reversionary right" to the West Indies, and that we must stand ready to take for ourselves whatever we are unwilling that others should acquire. This is the doctrine of the Ostend Manifesto, denounced by the first Republican platform (1856) as "the highwayman's plea, that 'might makes right.'" Its enunciation and popularity disclose the extent to which war blunts the moral sense of a people.

F. H. HODDER.

Historic Highways of America. By ARCHER BUTLER HULBERT. Vol. VIII., Military Roads of the Mississippi Basin. The Conquest of the Old Northwest. Vol. X., The Cumberland Road. Vol. XI., Pioneer Roads and Experiences of Travelers. (Cleveland: The Arthur H. Clark Company. 1904. Pp. 237, 208, 201.)

In his series upon historic highways in the northeastern and north central portions of the United States, Mr. Hulbert includes a study, un-

der the head of military roads, of the route used by Clark in the "Illinois country", of those employed by St. Clair and by Wayne in their several expeditions into the present state of Ohio, and of those chosen by Har-mar, Hardin, and others on their minor Indian campaigns into the same region about 1790. The title seems rather large for a study confined geographically to a space three or four hundred miles long and covering chronologically less than twenty-five years. Of the routes taken by these expeditions, only that of Clark is in any degree uncertain. The author has made a special study of the several possible routes from Fort Massac to Kaskaskia and from Kaskaskia to Vincennes and has marked his conclusions on a map. He differs in many particulars from Draper (MSS. in Wisconsin Historical Society library) and from William H. English (*Conquest of the Northwest*). The descriptions of the other campaigns and their routes, although well-written, offer little that is novel.

The sketch of the Cumberland National Road, which forms a number, has been touched upon frequently in preceding volumes of this series. The author here presents a revised reprint of his contribution on this subject to the publications of the Ohio Archeological and Historical Society several years since. From the standard of the picturesque and the realistic, this is the best monograph yet written on this important public work. Drovers, wagoners, stage-drivers, and tavern-keepers here find proper places. An appendix itemizes the \$6,824,919.33 appropriated by the national government to build this connecting link between the east and the west. One wishes the writer had dwelt more upon the Union-making influence of the road and its loosening effect upon the bonds of strict construction; but this treatment might not be appropriate to a popular writing. The author closes the volume with a vision of the old highway rejuvenated and repopled by the coming generation of outdoor-living Americans.

The treatment of pioneer roads is designed to make a sub-series. The first volume, here presented, need not long detain the reader familiar with pioneer writings. Of its four chapters, one is taken from Francis Baily's *Journal* and another from Judge James Hall's well-known *Legends of the West*. A third chapter describes the "trace" made by Ebenezer Zane under government instruction in 1796. It extended from Wheeling, now West Virginia, to Limestone, Kentucky, traversing the present state of Ohio in a southwesterly direction. Over it the mail was carried from the Braddock Road to Kentucky. Here the author departs from the apparent chronology which has for the most part marked the series, to treat of President Jackson's veto of the Maysville Road bill in 1830. He considers the Maysville Road as the natural extension of the Zane Trace. It is true that mail was carried over the one as supplementary to the other. But it is not certain that the promoters of the Maysville Road as a link in the great western highway to New Orleans in 1830 would have advocated the Zane Trace in Ohio as another link. The fourth chapter in this volume is a very readable description of the evolution of the public road from trail to turnpike. Much of the testimony is taken from

contemporary travelers, who bear uniform witness to the hardships of journeys in the olden time.

EDWIN E. SPARKS.

Napoleon, a Short Biography. By R. M. JOHNSTON. (New York : A. S. Barnes and Company. 1904. Pp. xv, 248.)

THIS is "a lightning portrait" of the poor Corsican who one hundred years ago by the force of his intellect and character, aided by conditions which furnished him an opportunity, made himself emperor of the French. The author does not pretend that it is anything more. In the immense mass of literature relating to the Napoleonic period, "probably approaching forty thousand books", it is easy for the student of even a limited part of the tremendous story to lose his way. To retain a proper perspective of the whole picture, to keep the main facts of the troublous twenty years crisply in view, may lead him more than once to resort to such a volume. Details else might drown him. In this sense the book is useful and well-balanced, although, because it is a mere sketch, some lines of the portrait are purposely drawn with a stronger hand than would be permissible in a finished portrait. The pages contain more about the politics of Europe and the affairs of state of France than they do of the wonderful military exploits which made it possible for Napoleon to rise. Some of each are more fully treated than others. To the eighteenth Brumaire, the Code Napoleon, the Cadoudal plot, and the execution of the Duke d'Enghien, considerable space is given, as if in the author's eye these were the character lines of the face. The military side is of necessity wanting, although to the civilian reader the general idea of the campaigns is pointed out. As is perhaps natural, and as English-speaking peoples demand, the closing drama of Waterloo is afforded much space. Yet it was not Waterloo which lost Napoleon his throne. Had he won the battle of Waterloo, he must have been later defeated in the same year. Regarded from the military standpoint, the battle of Waterloo, to which twelve pages are given, is of less interest and showed far less ability than the operations south of Ratisbon in 1809, to which six lines are devoted. Writing for the audience he does, the author is no doubt justified in thus finishing his croquis with a bold black stroke, for few people care to study Napoleon's campaigns intimately. To one who has patiently assimilated the 22,067 official documents, plus the St. Helena papers, in the *Correspondence of Napoleon*, the portrait must necessarily appear crude; but within the compass of 250 small pages, it is doubtful whether more could be done.

As a soldier Napoleon committed fewer mistakes and did finer work than any other man of modern times. As a statesman his great mistake was not to see that whatever plan of conquest he might by military force accomplish would eventually be wrecked by the aspirations of all countries speaking the same language to remain one. Yet he could not refrain from playing with the states of Europe as if they were a pack of

cards. In his younger years he saw facts and gaged their value with an unerring eye. In later years success seems to have robbed him of this power. In the German campaign of 1813, he could, by European guaranty, have saved France to himself and his family, with its limits of the Rhine, the Alps, and the Pyrenees; he was not wise enough to accept these terms, and his personal ambition realized naught. Napoleon's labors were limited to working out the results of the French Revolution, and preserving for France, Italy, and the adjoining states the instincts of liberty which have helped them out of the slough of tyranny. What more he might have created could not be maintained by any one less strong, and men of his stamp are rare. His scheme to emulate Charles the Great was bound to fail.

This volume is furnished with nine diagrammatic charts which elucidate the text, with a chronological table and a bibliographical note at the end of each chapter, and with an appendix giving the family tree of the Bonapartes, and showing how Prince Victor still represents the imperial aspirations of a considerable body of Frenchmen. The style is strong and fluent, and the book is well printed on good paper. For any one — and in busy to-day there are many such — that simply desires to refresh his memory as to the two Napoleonic decades, no volume can be more highly commended. The most interesting of the charts is opposite page 170. It shows at a glance how large a part of Europe Napoleon had added to France in 1809. Had a few of the great rivers been added to orient the whole, and had the ante-Revolutionary limits of France been inserted in black, the chart would have been yet more effective.

THEODORE AYRAULT DODGE.

Hanover and Prussia, 1795-1803: a Study in Neutrality. By GUY STANTON FORD, Ph.D. [Columbia Studies in History, Economics, and Public Law, Vol. XVIII., No. 3.] (New York: The Macmillan Company; London: P. S. King and Son. 1903. Pp. 316.)

THE twenty years from the death of Frederick the Great to the formation of the Confederation of the Rhine is still for Prussian history largely a *terra incognita*, especially to English readers. Sorel has done much to elucidate the diplomatic intricacies of the earlier part of this period, and the great Prussian statesmen and reformers of the Liberation Era have had their biographers. Dr. Ford's admirable study now gives a very satisfactory account of the diplomatic history from the peace of Basel to 1803. In writing of Hanover it has been usual to assume as a matter of course that since George III. ruled in England and in the Electorate, there is a close connection between English and Hanoverian policy, and that the former determined the latter. Dr. Ford's whole thesis goes to show that this is not so; that in reality any close study of Hanoverian policy at once necessitates a study of that of Prussia. Prussian, not

English, interests determined Hanover's fortunes. For instance, in 1795, though England remained at war with France, and Pitt stated in the House of Commons that "the Elector of Hanover will never separate himself from the King of England", nevertheless Hanover soon found it necessary to adopt neutrality and come within the line of demarcation which Prussia had established for her. The treaty of Basel, instead of being the diplomatic revolution in Prussian policy and "the greatest political mistake of our modern history" as Treitschke vigorously asserted, was in reality a return to Prussia's natural policy of friendship with France. "Prussia, viewing things as they were at the time of the treaty of Basel, was justified in thinking the moderate policy would triumph in France and be satisfied with Belgium, Luxemburg, and Savoy, and that Prussia needed her strength to face the powers beyond the Danube and the Vistula rather than those of the Seine" (p. 57).

Of especial interest from the point of view of international law is the development and failure of the neutrality idea. The idea in itself was a good one, but its practical execution at once met with difficulty. The French did not strictly observe the original line of demarcation, and a new one had to be drawn in 1796. It soon became clear that some kind of a "demarcation army" was necessary to make neutrality mean anything in view of the ever-encroaching French frontiers; in short, that the only kind of a neutrality that is good for anything is an armed neutrality. But Prussia's actual army was not large enough for this purpose, and her dilapidated finances did not permit any great increase in her forces. Meanwhile the minor states within the line were too jealous and distrustful of Prussia either to grant her subsidies or to raise a force of their own. In the negotiations which aimed to raise a demarcation army, and especially in the Hildesheim Congress of 1796-1797, many persons hopefully looked forward to a definite hegemony of Prussia in North Germany, either through the grouping of states in a revived *Fürstenbund* or by a division of the empire between Austria and Prussia. But all such hopes were rudely shaken by the czar of Russia. The year 1801 gave the *coup de grâce* to neutrality. The mad Paul, after a bitter and extreme hatred of France, had suddenly, by a violent reaction, become an enthusiastic admirer of Napoleon and an uncompromising foe of his recent ally, England. He was eager to do anything to injure England. Therefore he suggested to Frederick William III. that he occupy Hanover, close the Elbe and the Weser to English commerce, and ultimately keep the Electorate as an indemnity for the Rhine lands which he had given up to France. Frederick William hesitated: he had given his word of honor that he did not intend to take Hanover; he had always maintained that the Electorate was distinct from England and should not be made to suffer on account of England's wars; he saw it would embroil him with England and probably compromise his neutrality. Therefore he still hesitated. On March 25, 1801, he was abruptly informed by Krüdener that unless Prussian troops were sent within twenty-four hours to occupy Hanover, Russia would withdraw

her ambassador from Berlin and send 80,000 Russians into Prussia! On March 26, "with tears in his eyes", Frederick William complied. This action opened him to the charge of breaking his promises, of pursuing a greedy policy of territorial aggrandizement at the expense of his neighbors, and of weakly knuckling to the demands of Napoleon and Paul. It was humiliating, but it was not the worst. After a few weeks Paul died. Alexander reversed his policy, made peace with England, and expressed his wish that Hanover be restored to George III. A second time Prussia did Russia's bidding. To the diplomats of the time this was an open confession of weakness. After 1801 no one need be surprised at 1806.

Dr. Ford's study is based on a careful examination of the archives of Hanover, Dresden, and London and of the printed sources, and is of much value and interest to the student of this period.

SIDNEY B. FAY:

Catalogue of Parliamentary Papers, 1801-1900, with a few of Earlier Date. Compiled by HILDA VERNON JONES. (London: P. S. King and Son. 1904. Pp. viii, 317.)

THE great and constantly increasing mass of literature published for the British government and long generally known as blue books had its beginnings in the present form as comparatively recently as 1837. Reports from state departments were submitted to Parliament from about the time of the Revolution; but until 1801 few of them were officially printed in separate form. They were usually spread in full on the journals, as were also the reports of Parliamentary committees; and when the *Journals* were printed these reports for the first time became generally accessible. There has never been a government printing bureau in England. Government printing was first done by the holders of patents from the crown, and later on by contractors; and at no time have the reports of Parliamentary committees and royal commissions been gratuitously distributed. They have been, as they are to-day, sold at cost through the authorized government publishers, a method of issue dating from 1837.

Since 1801 it has been customary to print in blue-book form reports which previous to that time were inserted in the journals; but for many years after this plan was adopted public documents as a general rule, were obtainable at the time of issue, only through members of Parliament. There must always have been some demand for Parliamentary papers; for in several of the eighteenth-century post-office statutes there were clauses providing that they should be carried postage free. Members of both Houses of Parliament at this time enjoyed the now-long-abolished privilege of franking; but in the latter part of this period the number of letters a member of Parliament might receive or send without payment of postage was rigidly limited. Hence the necessity for special provision in the post-office acts for Parliamentary papers. This public interest in Parliamentary documents is also further borne out by the fact that as early as 1773 a selec-

tion of reports from committees was published in four large volumes. These were followed in 1803 by eleven more volumes, whose contents were selected by a Parliamentary committee, which at the same time drew attention to the necessity of an index to the fifteen volumes. Luke Hansard, who was the printer of the *Journals* from 1774, and whose son, T. C. Hansard, originated the *Parliamentary Debates* in 1803, undertook to make the index; and to it he added a list of reports inserted in the journals of the Commons from 1696 to 1800, but not included in the fifteen volumes which his index covered.

These fifteen volumes, which included only the *Reports of Committees*, served until 1825, when on the recommendation of a committee another series was published, in which were included reports of commissions and other Parliamentary papers of permanent value. For this third series it was claimed that "there is scarcely a subject connected with the Laws, Institutions, Commerce, and Morals of the Country, but what will be found treated on:—Administration of Justice, Privileges of Parliament, the National Church, Education, Arts and Manufactures, Agriculture, Trade, Criminal Law, Police, etc.," it was added, "all have their place . . . and the important and useful information they [the volumes] contain justifies the enlargement of the field of selection."

After the issue of the last of these selections from the Parliamentary papers, it became possible to obtain current Parliamentary reports at the Vote Office; but until 1837 they could not be obtained singly, as only complete sets covering a session were sold. Papers so obtained found their way into a few of the more important public libraries; and in 1835 the Society for the Diffusion of Useful Knowledge began to include Parliamentary papers in its list. It apparently pushed the sale of reports of more than usual interest, such for instance, as those of the commissioners who investigated the pre-reform condition of the English, Scotch, and Irish municipalities. Brougham and other Whig politicians were zealous supporters of the society; and it was apparently through some such influence as theirs that the society had the privilege of obtaining from the government printers papers of exceptional interest.

In 1834 and 1835 there were committees of the House of Lords and of the House of Commons to devise better methods of circulating public documents; and in 1837 the plan of issuing them at cost through authorized publishers was adopted. When the franking of letters was abolished in 1840, the old privilege of members of Parliament of sending public documents through the post without charge also came to an end; to-day publishers who handle these documents must pay postage on them at the same cheap rate that books of other descriptions are carried through the mails in England.

For several centuries the universities enjoyed the perpetual right to publish the *Statutes at Large*. In the eighteenth century both Cambridge and Oxford ceased to exercise this privilege; and the printing of *Acts of Parliament* then became the right of the king's printer, who enjoyed it by virtue of a royal patent, and who claimed the exclusive

right of printing and selling every act of Parliament in Scotland and Ireland as well as in England. This monopoly greatly increased the price to the public and also to the government. Its disadvantages were reported upon by a Parliamentary committee of 1835, of which Hume, the reformer and economist, was chairman ; but exactly half a century elapsed before this monopoly could be terminated, and the right to print the *Acts of Parliament* was finally transferred to the Stationery Office, which now issues them through its authorized publishers.

Since Parliamentary committees ceased to select reports for publication in book form and to issue them with their sanction, there has been only one long-sustained attempt to popularize blue-book literature. It was made by the late Professor Leone Levi, who in 1856 established a periodical summary of Parliamentary papers. The scheme was a comprehensive one. The summaries were judiciously and carefully made ; and Professor Levi was enabled to continue the work until 1868, by which time he had produced eighteen volumes. After he had abandoned it, Parliamentary papers were left to the newspapers and to the economic reviews, which made a selection of such of their contents as were likely to appeal to their constituencies. To-day, however, all the more important English newspapers issue lists almost daily of the reports and documents received from the government publishers. But this is an innovation dating back only a few years, and until the publication of Miss Jones's compilation, there were available to students no catalogues of the enormous mass of government literature that has accumulated since 1800.

Miss Jones does not claim for her *Catalogue* that it is a complete exhaustive list of all papers ordered to be printed by Parliament. It is claimed, however, that the most important papers, diplomatic and colonial correspondence, and reports of royal commissions and select committees are given. And there is good ground for this claim. There are 8,496 titles in the *Catalogue*, which covers 317 closely printed pages. The plan and the arrangement are excellently conceived and admirably carried out. Where the official title is too scant to explain fully the nature of a report or a document, Miss Jones has added a brief description of the contents. I know of only two libraries in this country where there is anything approaching a complete set of the British Parliamentary papers named in this *Catalogue* — the Library of Congress and the Public Library at Boston. But Miss Jones's list will surely find its way into all reference libraries ; and with it at hand, the resources of the Washington and Boston libraries will become much more available than they have hitherto been to students all over the country. Not the least valuable feature of the *Catalogue*, it may be added, is that it can to a large extent be made to serve as a dictionary of dates for British political thought and movement in the nineteenth century.

EDWARD PORRITT.

The Louisiana Purchase and the Exploration, Early History and Building of the West. By RIPLEY HITCHCOCK. (Boston: Ginn and Company. 1903. Pp. xxi, 349.)

THE unusual length of title of this small volume is clearly for the specification that restricts. The author "aims only to present a story of purchase and exploration, and the earlier phases of a domain less obviously a unit than the 'Old Northwest' but peculiarly impressive and picturesque." He holds that there was "no single book which tells the story of the West succinctly and includes the work of the Spanish and French pioneers, and also accounts of the various phases of American exploration and of the typical figures and aspects of the Western formative periods". He hopes that his work has "a certain comprehensiveness which will be of convenience and of value to students of the earlier history of the West between the Mississippi and the mountains."

A work with such aims, scope, and purpose must necessarily test the author's powers of condensation, characterization, and articulation, too,—as it is "to afford a continuous and very simple narrative". In insight, judgment of historical values, and perspective Mr. Hitchcock's work is simply admirable. Not so much can be said for the proportion in his treatment. All who wish to consult a guide among the landmarks of the history of the country between the Mississippi and the Rocky Mountains from the time of Pineda's cruise in the Gulf of Mexico (1519) to the Louisiana Purchase Centennial will find this book most serviceable.

Of the four divisions of the book, Part I., on "The Spanish and French Periods and the Purchase" carries out the purpose of the narrative with the highest degree of skill. Part II., on "The Lewis and Clark Expedition" takes ninety-nine pages, more than one-third of the body of the book. It is well done, but out of all proportion. The "Oregon Country" and the whole Pacific coast might have had a different destiny had it not been for this exploration, but the "Louisiana Purchase" would have been developed much as it was had Lewis and Clark never been sent out. Having gone so minutely into details in Part II., Parts III. and IV., on "The Exploration of the West" and "The Building of the West" respectively are very sketchy. We get good glimpses of the salient point in the vast development comprised under these topics. But why should Lewis and Clark have been given ninety-nine pages in a sketch of the "early history and building of the west", while the rapidly attenuated story of all the subsequent growth is compressed into eighty-seven pages?

The author has generally availed himself of the most recent light on controverted questions. He, however, ascribes the beginning of Jefferson's interest in an overland exploration to conversations with John Ledyard, whom he met in Paris in 1786, whereas Jefferson had proposed such an expedition to George Rogers Clark in 1783. The author gets pretty badly tangled up when he essays details on the trails of the far west, and is a little wide of the mark in locating the discovery of gold in California

"at New Helvetia" (p. 256). These, it is true, are minor matters, but if a venture is made at a specific statement, there is no excuse for inaccuracy.

For the intelligent citizen whose attention has been arrested by the historical significance of the centennial celebration at St. Louis there could be no better help than this book gives. It will also be of service to the young student in getting his bearings in this field, and it has value in challenging a revision of the conclusions of those more deeply read in this part of American history. Appendixes give a copy of the treaty of purchase and a statistical summary of the states and territories formed from the Purchase as they had developed down to 1900. A list of historical events accompanies the showing for each state.

F. G. YOUNG.

A Brief History of Rocky Mountain Exploration, with Especial Reference to the Expedition of Lewis and Clark. By REUBEN GOLD THWAITES. [Expansion of the Republic Series.] (New York: D. Appleton and Company. 1904. Pp. ix, 276.)

THE purpose of this volume is to sketch the most notable explorations by which the western half of the continent was made known to the world in "the long stretch of fruitful years, from Balboa's crossing in Darien to the completion of the transcontinental railways in the United States". Mr. Thwaites frankly makes the Lewis and Clark expedition the central feature of his book, devoting to it seven of his fourteen chapters. The exploration of the Pacific coast, and a summary of French and English explorations from the east prior to 1800, receive sixty-two pages, and form the background of the main story. The last four chapters, dealing among other topics with Astoria, Pike, and Long, the Rocky Mountain fur-trade, and the settlement of Oregon and California, are assigned sixty-four pages, leaving one hundred twenty-five pages to be distributed among the other seven chapters. The work might therefore without serious impropriety be styled a history of the Lewis and Clark expedition, with some account of prior and subsequent explorations.

As an account of the famous expedition of 1804-1806 it is instinct with a vital interest rarely discovered even in books of adventure. Nothing more felicitous has come from Mr. Thwaites's gifted pen. Not alone the youth, for whom the book is primarily intended, but the mature student as well, can profitably make use of this charming narrative of exploration.

The three chapters treating of earlier discoveries are also very effectively written and add considerably to the value of the book. But for some reason the concluding section, embracing Chapters XI.-XIV., seems to have commanded the author's devotion far less perfectly than the other parts. Here we find a number of erroneous statements and a few serious misconceptions, which mar the general excellence of the book. For example, Pattie is called "the first white man to cross the

continent to California", when that honor properly belongs to Jedidiah S. Smith. Moreover it is doubtful if the phrase "modest narrative of adventure and discovery" correctly describes the so-called "Pattie's Narrative". At all events the much-buffed adventurer possessed a suspicious sort of facility in discovering angels of mercy at critical junctures, and his account of the sufferings of his party in California has, on the authority of an associate of Pattie, been pronounced mainly fictitious. Bonneville did not take "wagons and goods" all the way to the Columbia, as implied on page 222; only a remnant of Wyeth's party settled in Oregon; the Whitmans settled near the Columbia, not the Willamette; the 1843 migration reached the Columbia before the Willamette; Bent's and St. Vrain's forts were not Hudson's Bay establishments; gold was not first discovered at Sutter's fort, but at the sawmill some fifty miles from the fort. These are slips which do not, however, greatly impair the value of the book.

A more serious blemish is the unhistorical account of the relations between the Hudson's Bay Company and the pioneer settlers in Oregon. There is no foundation for the assertion that "The Hudson's Bay Company . . . was the violent enemy of these new-comers. . . . Not infrequently the agents of the great corporation incited the Indians to infamous outrages upon the settlers." Such fictions, the extreme distortions of an age of international strife over Oregon, have, it is true, found their way into popular historical literature. But the student of the real history of this region must feel a deep regret that they should be perpetuated in the work of a historical scholar like Mr. Thwaites, a work which is marked by surpassing excellences in most other respects.

JOSEPH SCHAFER.

American Tariff Controversies in the Nineteenth Century. By EDWARD STANWOOD, Litt. D. (Boston and New York: Houghton, Mifflin, and Company. 1903. Pp. xiii, 410; xiv, 417.)

IF the adjective American be understood to refer to the United States solely, Mr. Stanwood's title will be found to indicate with accuracy the scope of his book. No intimation has been found in it that the industrial conditions of the New World, taken as a whole, may have given rise, throughout America, to a common tariff problem. If any such idea occurred to the author, he put it by in order to turn his attention to the United States alone. And even here he discusses but incidentally such matters as the several tariffs themselves, or their influence upon our general prosperity, or upon our manufactures, or even upon our politics. His labors are strictly confined to the tracing of our tariff controversies — chiefly those occurring within the halls of Congress.

The character of the narrative is, in general, what Mr. Stanwood's *History of Presidential Elections* might lead us to expect. That work — become, in its last edition, *A History of the Presidency* — has long been known. It is justly esteemed for convenience, clearness, and a fair

degree of impartiality. The new book, dealing with "the most persistent issue in American politics", may well be an outgrowth of the older one. In a general way the two are similar. The new is better provided with references than the old, and so far as I have been able to check its accuracy, it is prepared with the same diligent care. It is written in the same clear, rather formal style. It is not notably suggestive, and it is seldom, if ever, profound. But it is never banal, or ill-tempered, or insincere. It differs from its predecessor chiefly in its author's avowed partizan attitude. Readers of *A History of the Presidency* can have no difficulty in seeing that Mr. Stanwood's sympathies were with the present Republican party, and generally with the organizations which he regarded as in a sense that party's predecessors. But in *A History of the Presidency* he did not openly argue the case against their opponents. In his *Tariff Controversies*, on the contrary, "The work is confessedly that of one who believes that the system of protection has given an opportunity which the opposing system would not have afforded for the unexampled growth of the country, and who has not advanced this doctrine with more confidence or with more persistency than writers of another school have expressed their abhorrence for protection." So frank an avowal of bias, coupled with so naïve a justification for indulging it, might well prepare us for a book far less impartial than Mr. Stanwood's proves to be. "Readers of the following pages will" indeed "have no difficulty in discovering that the author believes that tariffs have had a powerful agency in promoting the development, the wealth, and the strength of this great republic", and they may even admit, though themselves of opposite belief, that "he has endeavored to present the facts so fully and fairly as to give those who take a different view all the materials that history affords for disputing that position." Such an admission would not concede Mr. Stanwood's success. His ambition was over-ample. History affords many materials for disputing his position which are not to be found within the covers of his stately volumes. But if he has not attained his goal, he has at least pursued a way that leads toward it. "However greatly the author may have failed in the exercise of good judgment in this respect [the work of selection and rejection], he is not conscious that his choice of material has been affected by personal bias, nor that any facts essential to the formation of an opinion contrary to his own have been suppressed". The foregoing copious quotations are made because they are fairly descriptive not only of the author's intention, but of his achievement. Undoubtedly his judgment is influenced, in some instances, by his prepossessions. But so long as writers upon the tariff are to be permitted to entertain, in advance, any theoretical convictions whatever about it — and those who are denied the convictions are not likely to produce the books — it is hard to see how we may reasonably expect more impartiality than Mr. Stanwood tries to give us.

It does not follow that he is always impartial, and readers whose prepossessions as to the policy of protection differ from his will have no

difficulty in pointing out inconsistencies which they can plausibly attribute to Mr. Stanwood's bias. Thus by the method of elimination the "instant revival of business" in 1842 is shown to be due to the tariff act of that year: "There was no other change in the situation either at home or abroad"; the act worked "instantaneously" (II. 36-37). But the claim in Secretary Walker's report of December, 1846, that the good results of the tariff of 1846 were already beginning to be experienced, is discredited because the report was dated only nine days after the tariff went into operation. To be sure "the country as a whole was in a highly prosperous condition during the continuance of the act of 1846", but this prosperity was "induced chiefly" by the discovery of California gold (II. 83-85, 95, 111), little or none of which, in fact, reached the east until 1849.

In the accounts of the McKinley Bill and the Wilson Bill, and indeed throughout the narrative of the last forty years, there seems to be an increasing disposition to take credit to Republican protection alone for each period of prosperity, and to shoulder the blame for recurrent depressions, whenever an anticipated reduction of duties is too remote, upon other causes with which the tariff has little or nothing to do. Whether this appearance of increasing partizanship as living issues are approached is due in fact to a change in Mr. Stanwood's methods, or to the reviewer's own imperfect detachment, it is difficult to say. In any event, a careful examination of Mr. Stanwood's work is calculated to deepen the conviction that an acceptable solution of generalized problems, like that of free trade *versus* protection, is not likely to be achieved by the use of a historical method.

Two or three points there are which may not pass without specific criticism. Mr. Stanwood apparently takes the 1819 version of the "Pinckney plan" at its face-value, for he says (I. 328) "Pinckney was more than any other man the author of the Constitution." On page 387 he assigns to "the Virginia and Kentucky resolutions of 1798 and 1799" the word "nullification", which does not appear in the Virginia resolutions at all. The scandal of the attempt of the Middlesex Mills in 1857 to secure from Congress a reduction of the duty on wool, by furnishing \$87,000 to a lobbyist, seems to Mr. Stanwood to illustrate merely "the fact that protection, even of the same industry, is not a matter of fixed and unvarying rates of duty." Otherwise "the incident is not in itself important" (II. 110). Of the relations between the McKinley Act and the silver purchase measure in the Senate of 1890 no intimation is given. The book is handsomely made and accurately printed. The index is inadequate.

CHARLES H. HULL.

History of the German Struggle for Liberty. By POULTNEY BIGELOW. Vol. III., 1815-1848. (New York and London: Harper and Brothers. 1903. Pp. xvi, 343.)

In this volume Mr. Bigelow carries his story of the growth of German unity and liberty from the morrow of Waterloo to the eve of the

Revolution of 1848. As the period is entirely devoid of war, the author gets no opportunity to dwell upon the themes so much emphasized in his first two volumes. The result is a distinct falling off both in interest and in value. Mr. Bigelow's knowledge of military matters and his keen appreciation of such political, intellectual, and social conditions as bear directly upon the operations of war gave decided worth to his first two volumes, despite numerous shortcomings upon other points. His unwillingness to do the amount and kind of work required of the historian of periods of peace deprives this volume of corresponding value.

The author's theory of how history should be studied and written is clearly stated in the preface and consistently applied throughout the entire volume. He believes that "the history of a nation is intelligible only through the eyes of one who is living out its problems" (p. xvi). Despite some serious objections that can be urged against this theory in general, it may be accepted as a satisfactory working basis for treating the history of a people wholly absorbed in the solution of but one great problem. In the earlier volumes Mr. Bigelow dealt with such a period and was able to employ his method with considerable success. Here, however, the case is different. The numerous biographical sketches that constitute nearly the whole of the volume, although often graphic, interesting, and valuable in themselves, do not give an adequate idea of the life of the whole German people, even with reference to the problems of liberty and unity, since the author's typical characters represent only a comparatively small part of the nation.

The most serious defect, however, lies not with the plan, but with its execution. The biographical sketches are not calm and judicial estimates, but partizan eulogies or invectives. Liberals such as Jahn and Blum are portrayed with sympathy; Frederick William III., Alexander, Metternich, and Castlereagh are heaped with ridicule and abuse. No attempt is made to explain their point of view, while page after page is given up to the recounting of court gossip discreditable to them. Their delinquencies were no doubt numerous enough, but they were certainly not the wholly contemptible and irrational creatures portrayed by Mr. Bigelow.

In matters of organization and style, the peculiarities of the first two volumes are maintained and accentuated. There are thirty-six chapters, some of which consist of but three or four short paragraphs. A title and quotation for each chapter usually indicate its principal contents, yet often fail to do so because of the amount of extraneous matter introduced into the text. Although the space at his command is scarcely sufficient for adequate treatment of his general theme, Mr. Bigelow seems unable to resist the temptation to make extensive remarks upon any topic to which a chance allusion is made, even when the connection between these asides and the matter immediately at hand is very slight. For example, the story of the Wartburg festival is broken into for a three-page disquisition upon the Jews during the nineteenth century, and for no other apparent reason than that, in telling of the organization of the

Burschenschaft, mention has been made that it was to include all German Christian students (pp. 12-15). There is but little attempt at logical arrangement, while many of the chapters contain a good deal of repetition and read as if intended for separate publication. The style is didactic, but easy and familiar, savoring rather of journalism than of history. The notes are numerous, but do not add much to the value of the work. A large proportion of them are travel items only remotely connected with the matter at hand. The fanciful illustrations so numerous in the earlier volumes have given place to portraits, most of which are good.

With the standards that at present prevail, no large measure of accuracy is to be expected in a book of this description. Some of the blunders, however, may well occasion surprise. The boundaries of Germany as given on page 77 would probably be satisfactory to the most ardent German expansionist; the Confederation of the Rhine did not last for nearly a century nor did it include the territory upon the left bank which Prussia acquired in 1815 (pp. 126-127); the Reformation was not two hundred years old in 1630 (p. 274); Jackson did not march United States troops into South Carolina in 1832 (p. 267). These and numerous similar errors are probably due to carelessness, but that excuse cannot be made for statements which imply that a constitution for Prussia was actually promulgated in 1815 (p. 7), that the Carlsbad decrees included measures to prevent the separate states of Germany from establishing popular representation (pp. 180-182), or that customs districts such as those of Prussia prior to 1818 existed in England until the repeal of the corn-laws (pp. 21-22).

FRANK MALOY ANDERSON.

The Story of a Soldier's Life. By FIELD-MARSHAL VISCOUNT WOLSELEY. (New York: Charles Scribner's Sons; London: Archibald Constable and Company, Limited. 1903. Two vols., pp. xi, 398; xi, 383).

No one else has the opportunity of seeing so many kinds of warfare as the British officer. The vast colonizing schemes of England subject her army to every species of campaigning except the deadly clash of civilized forces on the European theater. But the class of risks with which few continental soldiers become familiar confront the Briton at every turn. Apart from the dangers of fighting savage and semi-civilized nations, there are the never-ceasing risks of cholera, fever, malaria, heat-apoplexy, dysentery, *et id genus omne*, not to speak of poisonous reptiles and insects. All these and others the author of these interesting volumes has been a part of; and of them he tells in a simple, frank way which makes the narrative interesting. Field-Marshal Wolseley has been a man of war from his youth up. In Burma in 1850, where he was badly wounded; in the trenches and divers assaults at Sebastopol, and in the battle of the Tchernaya, in 1854-1855; in a shipwreck on the way to China in 1857; in the Indian mutiny in 1857-1858; in the Oudh and

Baiswarra campaigns the next year; in China in 1860-1861; in Canada, when he commanded the bloodless but successful Red River expedition in 1870; and finally in the Ashantee war of 1873-1874, this busy son of Mars has spent his years. His Egyptian campaigns are not reached in these volumes. While strictly personal, the narrative of all this warfare affords one a better view of the varied labors of the British officer than any other work one can find. No wonder that with all this experience Tommy Atkins is not only the hero Lord Wolseley calls him, but the "handy man" besides. While firm in his faith that no soldiers ever approached those of his own country, nor any officer the British in self-sacrifice and gallantry, our author is unflinching in his criticism of the constant unpreparedness of Great Britain, of the errors of civilian ministers, and of the undue risks always run by the small armies that are sent out to do work, the difficulties of which are in no sense appreciated by the home government. Nor does he omit to blame the British officer's lack of technical training. While full of praise for his own, barring always the malingerer for whom no words are too hard, he is in no sense ungenerous to others. He has an appreciative word for the French, whose courage at the joint assault of the Taku forts he highly praises: "nothing could exceed their daring gallantry"; "their conduct was 'worthy of the great nation to which they belonged'" (II. 35).

Much of the military work described in these volumes bears a cousinship to that done by our own small army for several generations, in their task of opening up this vast country. The difficulties of the march, the treachery of the foe, the sudden attack, the stray bullet from hiding, the intense heat, the roads cut through virgin forests, the rivers forded breast-high, the distressing distances from water to water, all sound like the reports of our own westward advance a half-century since. Only the blizzard with its frozen mercury and frozen members is absent from Lord Wolseley's narrative. But every page teems with the white man's burden, which the English more than all others have taken up.

What will most interest the American reader relates to our Civil War. While Colonel Wolseley was in Canada, he made a secret trip to Richmond by the "underground route". He was anxious to see what manner of man was "that greatest of all modern leaders, General Lee", or indeed "the great American patriot", Stonewall Jackson. He wanted to gage what produced in the Confederate army the "superior fighting qualities of their splendid and patriotic rank and file". He reached its capital shortly after the battle of Antietam. His sympathies, like those of the majority of Englishmen of the Trent Affair days being strongly Southern, his admiration for Lee is unbounded. He "seemed the greatest man I ever conversed with; and yet I have had the privilege of meeting Von Moltke and Prince Bismarck". "The majesty of his manly bearing, the genial winning grace, the sweetness of his smile and the impressive dignity of his old-fashioned style of address, come back to me amongst the most cherished of my recollections. His greatness made me humble." Jackson equally impressed Colonel Wolseley, but

in a different manner. "I can class him with no one whom I have ever met or read of in history." Lee was the "Cavalier", Jackson the "Ironside". Of Mr. Davis he holds no high opinion. "Puffed up with a belief in his own superior wisdom", his "views upon strategy were opposed to all the teaching of military history". Lord Wolseley speaks lightly of McClellan, but calls Lincoln "One of the very shrewdest of men, and most sagacious of statesmen". Pope's "headquarters", "saddle and all his smart uniform exhibited in the shop windows of a Richmond tailor" was too American a joke for the English colonel fully to appreciate.

Historical misconceptions last long. In Germany to-day, the average man, remembering the letters written from the States to his parents, believes that it was the German-Americans who put an end to the struggle. In England many still believe that the Southerners won all the victories, and were eventually crushed only by five to one of their own force. Few appreciate the fact that the numbers afoot until the last year, when the Confederacy was already lost, were but as three to two, while interior lines, perhaps better strategy, enabled the Confederates to bring as many men into tactical touch as the Federals. And if we analyze the fifty heaviest battles of the war, we find that twenty were won by each contestant, and ten were drawn. Moreover in these battles, at the point of fighting contact, the numbers engaged varied only two per cent. As a piece of military business, considering the opponents Lord Wolseley describes and the conditions, the work of the North will stand any comparison.

No one can quarrel with Lord Wolseley for his Southern proclivities. In a way the plantation and slave-owning aristocrat was more akin to the ideal of the British uppertendom than the prosaic Northerner. Yet he has an appreciative word, spoken of a visit to Boston, for "that mixture of kindness and hospitality which are the most prominent characteristics of the American gentleman"; and he means to be even-handed as well as candid. There have been moments since the Civil War when some of Lord Wolseley's utterances anent our volunteers provoked either irritation or irony. The American volunteer asks praise and fears criticism from no one. What regulars have, fought through a four years' war with nine combats a week, a pitched battle every fortnight, and an average daily loss of over four hundred men killed and wounded in action? The volunteer's initiative, his courage, his ability to stand punishment and keep on delivering telling blows, his quick recovery from defeat, his cheerfulness under trial, his many-sidedness, his high discipline in all that hard campaigning demands, and this without pipe-clay, need no encomium. His work may be placed beside that of any soldier.

But all this is of the past. We are growing nearer to our British cousins. Time and events mellow the judgment. And time has sat lightly upon our genial author, while passing events have furnished him a fresher measure of values. In view of the strong terms of praise in which Lord Wolseley has of late referred to our army, that man would be wanting in all the instincts of the old soldier who would not "forgive

what may be my prejudices"; as in the preface the reader is begged to do, and forget them.

The style of the book is frank and chatty. It is honest soldier's talk by a soldier. Lord Wolseley believes that the profession of arms is the highest. It does indeed in some characters develop the Christian virtues in the most marked degree, even though war itself be hell. And in every country, though the citizen may not be in the ranks, it is the qualities that go to make up the good soldier that are of the most value to the state.

An occasional good story is told in the volumes, as one of Soyer, the great French chef, who put on his irascible wife's tombstone "*Soyez tranquille*". India developed some *bon mots*, as after the relief of beleaguered Lucknow, one of Clyde's officers telegraphed home "*Nunc fortunatus sum*", *i. e.*, "I am in luck now." Was it Napier in 1843 who sent the despatch "*Peccavi*", *i. e.*, "I have Sindh"?

The moral of the book is pointed at the habit of unpreparedness of the Anglo-Saxon nations, which can never understand that safety as well as economy resides only in a condition of constant readiness. Nothing else is so dangerous, so extravagant in the end, as the usual waiting policy of England and America.

The large volumes themselves are well got up, with paper which makes them easy to hold and read. The portrait of the author shows no sign of age, nor of the wound which tore open his face in the Crimean trenches. The story will interest thousands, and after perusing the last paragraph, we shall all welcome its promised continuance, and wish the gallant field-marshal years and strength to complete it.

THEODORE AYRAULT DODGE.

The True History of the Civil War. By GUY CARLETON LEE, Ph.D., of Johns Hopkins University. (Philadelphia and London: J. B. Lippincott Company. 1903. Pp. 421.)

THE field covered by Mr. Lee's book is extensive, including the origins of sectional division from the landing at Jamestown, the slavery controversy, the Civil War, and the Reconstruction period. Within the narrow limits of four hundred pages the book cannot and does not pretend to be a critical history, to sift evidence or digest facts, or even to balance conflicting opinions. It is necessarily general in style and treatment, and its merits must be those of intelligent selection of matter, reliance upon the best authorities, illuminating comment, and fairness in interpretation. It must be practically an "essay on the causes and conduct of the Civil War", and should be judged as such. Viewed from this standpoint, there are commendable features in *The True Civil War*. The style is vigorous, and the sweeping and general character of the writing is freely relieved by personal anecdotes and brief quotations. The author's point of view is also unconventional and calculated to pique the average reader, for the function of the "true" biography or

history seems to be to emphasize the seamy side of characters or events that are usually dealt with in a eulogistic or complacent manner. In such a spirit Mr. Lee has written a "true history" whose purpose is apparently to subject to steadily searching criticism the motives and actions of the Northern side in the whole slavery contest. There are undoubtedly persons who may profit from reading such a volume, and it is to be hoped that the aggressive style, disregard of technical argument, and attractive appearance of the work may lead them to do so.

But, apart from its style and purpose, the book contains nothing upon the slavery question and the Civil War which has not been more fully and far more impartially set forth in recent years. Not to mention Rhodes's *United States*, there is a study of the same years in Wilson's *American People* which analyzes the motives and conduct of leaders and people with equal freedom from conventional Northern bias and with incomparably greater fairness; and the same is true of the different but equally keen treatment of the Civil War in Morse's *Lincoln*. As compared with any of these, Mr. Lee's book is unreservedly partizan, and a list of the instances where by assertion or implication the Northern states are made to appear at a disadvantage is entirely too long for quotation. To take a few examples, the fact that Northern people once held slaves and that emancipation followed the economic decline of the institution is brought forward as discreditable, and the continuance of Northern ship-owners in the slave-trade is held to prove the hypocrisy of the whole section. Abolitionists are grudgingly admitted to have shown devotion and steadfast purpose, but they are usually referred to under such a title as "frothing fanatics". In one sentence the possibility of inhumanity under slavery is admitted to be good ground for condemning the system, but the writer immediately declares that in fact "the physical well-being of the slave was except in certain limited districts the constant care of his master". John Brown is not mentioned without vituperative condemnation, and no recognition is given to the man's fanatical honesty. This tendency leads the writer to enlarge upon the economic and industrial disadvantages of the South during the war but to make no mention of any social or military conditions favorable to Southern armies. It also leads him to omit the numbers in every action except one where the Confederates were superior, but to insert them as a rule whenever the Union forces were in the majority. It leads him to describe Sherman's march in language of unqualified condemnation but to pass over the massacre at Fort Pillow without comment and to palliate without a condemnatory word the Southern treatment of Northern prisoners. Similarly the arbitrary acts of the Lincoln administration in the North are described without any attempt at justification, but nothing is said on the other hand which condemns the "Copperheads" or recognizes anything questionable in their behavior. Again, the Southern vagrant and apprentice laws after the war are termed "wise and necessary", whereas every step of the Congressional policy is described as "the outcome of the desire for revenge and plunder made possible by the illogical theories of incompetent

Congressmen backed by demagogues and a rabidly sectional press". This sort of thing it is evident is anything but "true" history, yet for all its one-sidedness Mr. Lee's book might be of value as a corrective to Northern complacency were it not for certain features which cannot be overlooked. In the first place, the literary workmanship is by no means flawless. The facts are taken from standard works, and in places the authorities are so closely followed that the result is scarcely more than a paraphrase. Rhodes in particular seems to be relied upon, as for instance on pages 114 to 120, where Rhodes's account of the Kansas troubles (II. 153-159) is condensed, the sequence of thought, the quotations, the anecdotes, and many of the phrases being transferred. Again, Rhodes's account of Fort Donelson and of Shiloh is similarly borrowed. Burgess, also, is apparently laid under contribution, the opening chapter of his *Civil War* furnishing the model for pages 135 to 138 of Mr. Lee's book. Adjectives and style are made more emphatic, but the ideas and facts are reproductions. The more general introductory chapters suffer from another difficulty in the discursive essay style adopted, which leads the author to disregard chronology, to repeat under one chapter what has been elaborated under another, and thus to produce an effect of confusion, which is further increased by the vagueness almost inseparable from writing on such a scale. Seward's "higher law", for instance, is referred to several times but is nowhere explained in any intelligible way. The opinion on the constitutionality of the Missouri Compromise in the Dred Scott case is said to have been *obiter dictum*, but it is not explained why, nor is the actual decision of the court given in any form except in the very loose statement that "a slave did not become free by being taken to a non-slave-holding commonwealth".

Finally it is to be regretted that through carelessness or from some other cause the book contains numerous minor errors ranging from probable misprints to actual misstatements. With the former may be classed the foundation of Georgia in "1773", the abolition of slavery by Rhode Island in "1773", the governorship of Gage in "1744", the fugitive-slave law of "1783", the "moral tariff", and Professor Stillman instead of Silliman. Under the latter heading belong such references as that to the Atherton gag "law", the summary definition of nullification as "the right of a state to veto Federal action", the ascription of a Pennsylvania personal liberty law of 1826 to the Abolition movement, the assertion that after the Prigg case "Northern opposition to slavery cast aside all efforts to clothe itself in legal forms". In the period of the Civil War such loose and inaccurate sentences are frequent. Seward, for example, is said to have given "pledges" that Fort Sumter would be evacuated. The *Manassas* is called "a most formidable craft with almost impenetrable protection"; which the testimony of her officers disproves. The numbers at Vicksburg are given at the outset as 75,000 for Grant against Pemberton's 31,000 and Johnston's 11,000, but Grant's brilliant campaign between the two Confederate armies was made with

not over half his final besieging force. At Chattanooga Sherman is said to have carried Missionary Ridge on November 23, and the dramatic storming is described as taking place then instead of two days later. As might be expected, the author fails to be consistent with himself. On page 210 he says, "the ultimate defeat of the South was a foregone conclusion from the start. The vast preponderance of resources in the North confronted the South as with an inevitable fate". But on page 381 he says the subjugation of the South "was an almost impossible task" and that the North won only because the Southern people "had neither the cause which impels to win nor the spirit to uphold a guerilla warfare". Such looseness of statement is characteristic and leads one to regret that while Mr. Lee was performing his iconoclastic task he did not do it in better shape.

THEODORE CLARKE SMITH.

Reminiscences of the Civil War. By GENERAL JOHN B. GORDON.
(New York: Charles Scribner's Sons. 1903. Pp. xiii, 474.)

GENERAL GORDON began his military experience as a captain in the first days of the Civil War. Before that he had known nothing of the life of a soldier. He had begun his career as a lawyer, and this vocation had been abandoned for the management of large mining properties in Georgia and Alabama. But he possessed the military genius, and when Lee surrendered Gordon was a lieutenant-general, and this at the age of thirty-three. He was one of the ablest lieutenants of the Confederate commander in the last days of the war. For the early part of the great struggle his *Reminiscences* are not so valuable as for the latter part, and for the simple reason that he was not, during the former, in a position to know much about the inner history of campaigns. In neither part does he endeavor to present a critical account of military movements. He is content, in general, to tell a simple narrative of his personal experiences. This is done in a manner at once charming and instructive. It will appeal to the general reader, just as General Gordon's lectures on the war appealed to many people in all parts of the Union. In this sense the book is one of the most notable of recent publications on the war. The mass of intelligent readers, and they are the people for whom books are chiefly written, will find it one of the best obtainable pictures of life in the Confederate army. It is probable that even the specialist will find it attractive for its human interest and for the color it affords to the general narrative of the Southern side of the war.

Yet General Gordon's book is not devoid of original material. His chapters which treat of the battle of Cedar Creek contain what the author himself tells us is entirely new material. This was the battle in which Early's troops fell on the camp of the Northern army at dawn on October 19, 1864. The Confederates brilliantly turned and surprised Sheridan's left and swept down his lines while the remainder of their army threw themselves against his front. All of the Federal forces except the Sixth Corps were thrown into confusion, and Sheridan, riding back to the sound of the heavy guns, had much ado to rally his broken ranks around

the corps which was still intact. This he did, however, and with his reformed lines he gave victorious battle to the thinned lines of Early. It was the sudden conversion of defeat into victory. There was error on the part of the Confederates in not pressing the retreating enemy early in the morning and dispersing the Sixth Corps. The reason given for this has usually been that the Southern soldiers behaved badly. Early himself accepted this theory. General Gordon denies it explicitly. The failure to press Sheridan's disorganized forces, says he, was due solely to the orders of Early. It was Gordon himself who led the turning column which broke the Federal left. As quickly as that event was accomplished, he made arrangements for surrounding and crushing the Sixth Corps. Before these could be carried into effect Early rode on the field. To Gordon's announcement of his further plans he said: "This is glory enough for one day; they will go of themselves." These facts Gordon related in his report of the battle, but his report did not reach Lee's hands, for what reason we are not told; and consequently it does not appear in the published records of the war. Gordon's evidence on this point is clear and substantiated by the statements of credible witnesses now living. He believes that but for the restraining order of the commander-in-chief it would have been impossible for Sheridan to have rallied his troops within striking distance of the Confederates. As to the charge that the Southern troops behaved badly, by which is meant that they dispersed to plunder the enemy's captured camp, this is denied. They stood in line, says the author, for hours anxiously expecting the orders that would send them forward to complete the work which they had begun. Gordon's statements are strong, and it seems probable that they will withstand the fire of controversy, should it concentrate upon them.

J. S. BASSETT.

The United States in Our Own Time: a History from Reconstruction to Expansion, being an Extension of "The History of the Last Quarter Century". By E. BENJAMIN ANDREWS. (New York: Charles Scribner's Sons. 1903. Pp. xxxviii, 961.)

THIS is an attempt to review the political and industrial life and progress of the country during the past third of a century. Dr. Andrews begins with 1870 and closes with 1903. In his survey of this period he includes everything that has entered into the life of the American people. He discusses politics, business, law, combinations both of capital and of labor, strikes, lynchings, floods, earthquakes, and expositions. Apparently he accepts Mr. McKinley's dictum as to expositions being "time-keepers of progress", as he devotes space to every one since 1870. There is a fair account of the various frauds which characterized Grant's administrations, particularly his second term, with no attempt to minimize the President's shortcomings in connection with them. Indeed, in all his estimates of men Dr. Andrews is eminently candid and fair. The general summary of Congressional Reconstruction methods and results is very

good. The author seems to have grasped quite clearly the fundamental fact which from the first doomed this plan of Reconstruction to failure and ultimate overthrow : that in the end the intelligence and property of a country inevitably will control and administer its affairs. He is an admirer of Mr. Hayes, and would agree with Ingersoll that probably the country needed such a President just at that time. It is equally as apparent that he would not follow Ingersoll in estimating Hayes as merely "a pretty good plaster".

Even for a popular work the book has too much the appearance of having been constructed out of lectures and magazine articles. It purports to bring "history", especially industrial history, right down to date. It has a word even on the Louisiana Purchase Exposition. Yet in many places the treatment stops with a date by no means recent, according to the standard of the book. This gives the appearance of old matter worked over without proper revision. A discussion of the development and resources of Texas which fails to mention Beaumont oil can scarcely be called recent, even though published in 1903. Particular attention is given the South and the negro. An entire chapter (XXV.) is devoted to the subject, but it is made up of material and data from the eleventh census, taken fourteen years ago. A map is given (p. 757) which shows the ratio of colored to total population, but its date is 1880. A table (p. 761) exhibits the growth of cotton manufacturing in the southern states, but it comes down only to 1894.

The book makes no appeal to the student. It does not pretend to. It falls naturally and properly into the class of essentially popular works of history. This is true of its text, method, and illustrations. It would be mere captiousness to scrutinize such a book with a view to parading its minor inaccuracies of statement. Its evident purpose is to furnish the general reader with a fairly and honestly presented summary of events within its period. It may be commended as creditably accomplishing this object.

ALFRED HOLT STONE.

Sir Wilfrid Laurier and the Liberal Party: a Political History.

By J. S. WILLISON. (Toronto: George N. Morang and Company, Limited; London: John Murray. 1903. Two vols., pp. 472, 451.)

THESE volumes present a battle-field of controversy to the reviewer whose political camp is not that of Mr. Willison; but if they rouse the spirit of debate, it is because they are an excellent plea for the cause of Sir Wilfrid Laurier and the Liberals rather than because they are written in a mood of narrow-minded partizanship. Mr. Willison not only stands in the front rank of Canadian journalists, but is a representative of the best aims which journalism sets before itself in our day. His defense of the Liberals as a party is based upon his advocacy of the principles which have prompted them since the days of confederation. That he heightens the strong points of his case and tends to glide over thin ice is but

natural. For example, he lays bare in a powerful indictment the neglect of Sir John Macdonald to avert the rebellion of the half-breeds, while the subsequent relations of Laurier and Mercier are given much less prominence than they would receive at the hands of a biographer from Mars. His tone, however, toward opponents is fair if not generous; and he shows distinct talent in emphasizing the best features of Canadian public life.

Mr. Willison is fortunate in his subject. Canadians of whatever race or province look upon Sir Wilfrid Laurier with pride and are attracted by his personality. If we except a negligible faction of extremists, it may be said that he has awakened national interest in himself and that national sympathy attends the development of his career. He possesses grace, dignity, eloquence, and an open mind. He has always been a courteous opponent. Even when he has been most outspoken, he has not aroused lasting enmity because he is free from pettiness of spirit. Mr. Willison assures us that he was perfectly sincere in supporting the claims of Sir Richard Cartwright to the leadership of the Liberal party. Doubtless this statement is quite true. Laurier won his hold upon the confidence of the Liberals by his disinterestedness as well as by his gifts. Like Mr. Balfour he has created the conviction that there are things for which he cares more than he does for mere leadership. Though the existence of such a belief strengthens the hands of a prime minister most effectively at the moment when he takes office, it never ceases to be an important asset. But we must not narrow our view to the Liberal party. To Canada at large Sir Wilfrid Laurier is a premier who may be relied on to represent the country with distinction whenever he is brought into contact with the outer world.

At the same time no political leader can escape censure. In the present case it is urged by critics and candid friends that Sir Wilfrid Laurier displayed his natural talents to better advantage when he was in opposition than he has done since he became prime minister. As leader of the opposition he showed himself an eloquent idealist, attacking the corruption of the Conservatives and inveighing against the uselessness of an unreformed Senate. But there is reason to doubt whether the tone of Canadian public life has been materially improved during the period of his administration, and the Senate remains still unreformed, save by the appointment of Liberals when vacancies occur. In a word, it is urged by the censorious that Sir Wilfrid Laurier is an opportunist. However profusely this term may be applied, and however difficult it may be for a political leader to steer a clear course through the shallows of political exigency, Sir Wilfrid Laurier is still to large numbers of his countrymen an opportunist. His changes of front on the trade question and the hesitation that he displayed in the matter of the First Contingent have done quite as much to establish this belief as his neglect to take up the reform of the Senate. The common statement made by opponents is that the idealism of his speeches in opposition has been eclipsed by the materialism of his acts in office.

Mr. Willison's answer to such detraction merits the serious attention of all who are interested in Canadian politics. Himself a man of principle, he sees in Sir Wilfrid Laurier a spirit of kindred views and sympathies. "I have always proclaimed," says Laurier, "and again I repeat, that in politics I belong to the British Liberal school, to the school of Fox and Gladstone. In religion I belong to the school of Montalembert and Lacordaire, of the men who were the greatest perhaps of their age in loftiness of character and ability of thought." The social questions, which come to the surface so frequently in English politics, play a small part in the public life of Canada, and there is no close correspondence between the policy of Canadian Liberals and that of English Liberals as represented, for example, by the Newcastle programme. Yet a sentimental bond exists and, in the eyes of Mr. Willison, Sir Wilfrid Laurier is a true disciple of Fox and Gladstone. The reference to Montalembert and Lacordaire is equally important, for the Quebec *Rouge* who has stood up against ultramontaniam is dear to Mr. Willison. If we had more space, we should gladly discuss in detail some of the points which are raised by this biography. As it is, we can only indicate the author's point of view. Mr. Willison is candid, well-informed, thoughtful, and he gives those of us who are Conservatives some nuts to crack. These two volumes are the best *Apologia* for the Liberal party in Canada which has yet appeared.

CHARLES W. COLBY.

Letters of Lord Acton to Mary Gladstone. Edited, with an introductory memoir, by HERBERT PAUL. (New York: The Macmillan Company; London: George Allen. 1904. Pp. 353.)

LORD ACTON's personal influence reached comparatively few persons during his life, but those few were the best, and through them he influenced indirectly many who were scarcely aware of his name. The publication of some of his essays and of these letters must serve to fix his public reputation. Fortunately, he will not be remembered merely as the most learned Englishman of his time, for enough of his writings will be printed to explain why, although he never achieved the *magnum opus* he had planned — "The History of Liberty" — he deserves to rank among the foremost historical scholars England has produced.

This volume of letters written by him between 1879 and 1886 to Miss Mary Gladstone, now Mrs. Drew, has three serious claims on the attention of students of history. In the first place, these letters throw light on much of the political situation in England during those years. Lord Acton was a Gladstonian almost to idolatry, and to Gladstone's daughter he wrote without reserve criticisms of men and measures, suggestions, and advice, which she submitted to the prime minister; and it is no secret that Gladstone esteemed Acton so highly that, had the latter desired, he might have held important political office. But his true function was that of a critic at once devoted and yet unprejudiced, who

had not only unrivaled stores of political knowledge but also an almost unmatched cosmopolitan experience and acquaintance to draw from. He knew the political and intellectual leaders of Paris and Rome, of Munich, Vienna, and Berlin, not less well than those of London; and so his criticism is free from that insularity which few Englishmen can escape from.

Next in importance to the historical student are the dicta scattered through the letters on the writing and study of history, on the merits and defects of historians, and on the final object of any writing of history whatsoever. Lord Acton's opinion of Macaulay, for instance, may well give pause to our Teutomaniacs, who would have us believe that patience, a pair of spectacles, a pitchfork, and longevity constitute all the equipment required by a historian. But Acton did not spare Macaulay's defects, nor S. R. Gardiner's (whom he found "not well informed in religious history"), and he could say nothing better of Carlyle than that "he had historic grasp — which is a rare quality — some sympathy with things that are not evident, and a vague, fluctuating notion of the work of impersonal forces." But more valuable than any individual opinions is the temper in which Lord Acton writes, the temper in which the greatest historians from Thucydides to Gibbon and Mommsen have always worked, and which does not confound lack of enthusiasm with impartiality.

Finally, many of Lord Acton's verdicts on historical personages or parties or causes will have to be taken into account by future writers and students. His remarkable analysis of Beaconsfield, his comparison of Gladstone with earlier British statesmen, his references to Burke, his remarks on democracy, his denunciation of ultramontanism and of the Jesuits, his impassioned defense of liberty, are among the treasures of these letters. No liberal, whether Protestant or agnostic, has ever written a stronger indictment against the papacy than is written by this unwavering Roman Catholic. "The principle of the Inquisition is murderous," he says, "and a man's opinion of the papacy is regulated and determined by his opinion about the religious assassination. . . . If he accepts the Primacy with confidence, admiration, unconditional obedience, he must have made terms with murder" (p. 299). Lord Acton's delight in theological study shows itself on every page — indeed, that interest was for him the corner-stone of history. His fairness toward believers of other creeds sprang not so much from a fine courtesy as from his unquenchable thirst for the truth. To a reader whose convictions cannot be expressed in stereotyped phrases there is something almost humorous in the picture which Lord Acton unconsciously reveals of himself and Gladstone and men like them lying awake in anxiety lest Canon Liddon or Lightfoot or Temple or some other Anglican dignitary might be undergoing a doubt as to the precise meaning of this or that word in one of the Thirty-nine Articles. Imagine the President of the United States solicitous lest the Bishop of Oklahoma should fall into heresy, or an eminent historian feeling justified in guaranteeing that though the said bishop used incense, he would not go over to Rome!

It is matters of this kind that stamp Lord Acton's mind as English, in spite of his mixed descent.

There are, besides these prominent traits in the book, many references to literature, including a long criticism of *John Inglesant* and repeated eulogies of George Eliot, for whose genius Lord Acton had almost boundless admiration. It is noticeable that this man, who had read almost everything in history, theology, and economics, seems never to have examined the great scientific discoveries of his generation, with their cosmic implications. Mr. Herbert Paul contributes a better biographical sketch than his recent shallow and slovenly work on *Matthew Arnold* might lead one to expect.

WILLIAM R. THAYER.

Of the seven papers published in the *Transactions of the Royal Historical Society*, New Series, Vol. XVII. (London, 1903, pp. xxxiv, 400), by far the most interesting and valuable, as far as the constituency of THE AMERICAN HISTORICAL REVIEW is concerned, is the presidential address of Dr. G. W. Prothero. Its theme is the proposed bibliography of English history; and it gives a definite form to a scheme which has been discussed since 1885, when Mr. H. R. Tedder, for thirty years librarian of the Athenæum Club, read before the Library Association a paper entitled "Proposals for a Bibliography of National History". Dr. Prothero shows that notwithstanding the work done by Mr. James Bass Mullinger and Dr. Charles Gross, England is still without a bibliography of British history at once adequate and general. Mr. Mullinger's *Introduction to the Study of English History*, admirable as it is, does not pretend to be complete; while Dr. Gross's *The Sources and Literature of English History from the Earliest Times to about 1485*, almost perfect so far as it goes, does not extend beyond the middle ages. The main lines of Dr. Prothero's plan are: the bibliography must include (1) manuscripts; (2) pamphlets, essays, magazine articles, speeches, lectures, and the transactions of societies; (3) biographies and autobiographies; (4) historical novels and plays; and (5) the books of foreign writers on British history, foreign lives of British statesmen, foreign books on British foreign policy, and on the British constitution and municipal government, whether they are translated or not. Dr. Gross has covered the ground down to the end of the middle ages with such fullness and accuracy that English historical scholars have only to rest and be thankful that the work is done and done so well. This fact, however, only makes it more incumbent on them to take up the work where Dr. Gross stops, and endeavor to produce a bibliography of subsequent British history worthy to stand alongside his work. Dr. Prothero accordingly proposes that the bibliography shall begin in 1485, and be carried to the end of the reign of Queen Victoria. England and Wales, Scotland, and Ireland are to be included; as are the American colonies, down to 1776; India from the first charter in 1600; Canada from 1763; South Africa from 1795; and Australasia and all the other colonies since the beginning of

British occupation. Dr. Prothero goes into detail as to the plan to be adopted in the grouping of subjects and the division of historical periods. He makes no estimate of the cost of the work, but he is confident that if a sufficient staff of competent scholars can unite for this purpose, they will readily find a publisher.

The other papers in the volume are: "The English Premonstratensians", by the Rt. Rev. F. A. Gasquet, D.D.; "The Intellectual Influence of English Monasticism between the Tenth and the Twelfth Centuries", by Miss R. Graham; "Royalist and Cromwellian Armies in Flanders", by C. H. Firth, LL.D.; "The Development of Industry and Commerce in Wales during the Middle Ages", by E. A. Lewis; "Italian Bankers and the English Crown", by R. J. Whitwell; and "Bondmen under the Tudors", by A. Savine. Unlike the American Historical Association, the Royal Historical Society has no annual session extending over several days. The papers were read at monthly meetings held in London. The roll of the society numbers 659 members. It has an income of 1500 l.; and since 1897 has had charge of the Camden publications.

EDWARD PORRITT.

Students of the religious history of England will welcome the collection of Bishop Creighton's *Historical Lectures and Addresses*, edited by Louise Creighton (London and New York, Longmans, Green, and Company, 1903, pp. viii, 346). The editor explains that certain of these lectures are here printed for the first time from reporter's notes. In one instance this is an error. The lecture on "The Church under Elizabeth" was published in pamphlet form soon after delivery. The pamphlet is obviously a closer verbatim report, fuller, more colloquial, more effective. The omission in the pamphlet of the reference to "the Times newspaper" (p. 161) would show that the earlier publication had been revised by Creighton himself and is the form to be preferred. The familiar anecdote of Elizabeth's rebuke to Bishop Cox is traced in the pamphlet lecture to *The Annual Register* of 1761, while the volume refers to *The Gentleman's Magazine*.

The collection is rich in instruction and in interesting reflections. The lectures on "Bishop Grosseteste and his Times" gives a valuable concrete picture of the operation of the ecclesiastical system in England, and those on "The Friars" rescue to attention the important work done for society by the Dominican order and emphasize the reciprocal influence of Dominicans and Franciscans, the one giving organization, the other spiritual impulse. Creighton's remarks on the value to the Franciscans of this organization and methodical training are a useful corrective of Sabatier's laments. Equally interesting is the account of Franciscan influence for political freedom and in the sphere of literature and art. In two Cambridge lectures Creighton endeavored to give a sympathetic study of the spirit and aims of the early Congregationalists and Baptists. Here his grasp was not so sure as elsewhere.

He imagined that Massachusetts was founded on the assertion of religious liberty, and that separation of the churches from connection with the state was a primary principle of Congregationalism. The most entertaining pages of the book are the Romanes lecture on "The English National Character".

FRANCIS A. CHRISTIE.

Special Method in History. By Charles A. McMurry, Ph.D. (New York, The Macmillan Company, 1903, pp. vii, 291.) In the discussion of programmes for the teaching of history the work of the secondary school has hitherto been chiefly considered, although on some accounts it is more important that such a subject be well taught in the elementary schools. For this reason Professor McMurry's book is particularly welcome. It outlines a complete programme for all the grades below the high school, explaining in detail how the material should be handled and how to correlate it with the facts of geography to be taught in the same grades. The directions for such a use of the story that the child's mind may be stimulated to intelligent activity are clear and suggestive. All the way through it is apparent that the advice is drawn from the results of a wide and thoughtful experience. Occasionally there is a note of combat, and the historians are given their share of hard words for a sort of professional fondness for a chronological treatment of historical facts even with younger pupils.

For the earlier grades Professor McMurry has drawn the greater part of his material from stories of pioneer life in America. The argument for a large use of such stories is obvious and conclusive, but it is not so clear why they should be given the preëminence which is assigned to them here. Their teachings, though simple and stimulating, are of limited range. Moreover it is possible to select stories equally simple and certainly as instructive from other phases of American history. There was much also in pioneer life which is not edifying. The treatment of the Indians, for example, forms one of the darkest pages in American history. Professor McMurry seems to feel (p. 40) that it is only the Spanish explorers that "serve as warning rather than as example".

It is a satisfaction to find that in this programme European history is not ignored, as is often the case in actual school programmes. Certain topics are chosen which seem adapted to the age of the pupil and which are also suggested either by the phase of American history proposed for the same grade or by the parallel course in geography. The treatment of the English Puritans follows rather than precedes the story of the Puritan colonists in America, but Professor McMurry thinks the pupil is more likely to understand the English type from the New England specimens than vice versa. If he would substitute the term "sympathize with" for "understand", it would be easier to consent. In his strictures upon the method of giving a chronological survey of European history he has in mind the traditional manual rather than an intelligent treatment of the subject adapted to the comprehension of school-children. Stories do not

lose their interest even if they are left in their chronological setting. This setting is also necessary, for it furnishes a framework into which after school-days are over may be placed the miscellaneous facts picked up in reading.

HENRY E. BOURNE.

Introduction to Classical Greek Literature. By William Cranston Lawton. (New York, Charles Scribner's Sons, 1903, pp. xii, 367.) As its title would indicate, the present manual aims merely to introduce the young student and the general reader to the subject of Greek classical literature. By means of selecting only the great names and the leading works, the author has succeeded in covering the extensive field from Homer to the death of Plato and Demosthenes in a reasonably adequate fashion. In the first three books the early epic, the lyric, and the Attic drama are successively treated; the fourth book is devoted to representative prose works of the classical period in history, oratory, and philosophy; and the fifth and last to what is called "the after-time". Professedly little more than a catalogue of names, the inclusion of this last section is of questionable value. The parts of the volume dealing with the poets are the fullest and best. The discussion is adapted to the requirements of even the uninitiated, and the illustrative transliterations, while not always above criticism on the score of taste or smoothness, should stimulate the interest. With regard to the prose writers, some will query whether full justice has been done to Isocrates and Xenophon, and whether Æschines has received adequate consideration. The Greek spelling, still unacceptable to the conservative, betrays occasional inconsistencies. The introductory bibliography and the bibliographical notes at the ends of chapters, helpful as far as they go, are altogether too meager. Useful chronological tables of comparative political and literary events preface three of the books.

A. L. CROSS.

Sources for Roman History, B. C. 133-70. Collected and arranged by A. H. J. Greenidge, M.A., and A. M. Clay. (Oxford, at the Clarendon Press; New York, Henry Frowde, 1903, pp. iv, 245.) The absence of a suitable source-book for the period from the elder Gracchus to the first consulship of Pompey has prompted the preparation of this volume. It will serve as an excellent guide for the teacher and advanced student for whom it has been prepared. The arrangement is chronological. Citations, in the original, are given from the Latin and Greek authors, and from the epigraphic sources. No attempt is made to discuss the value of authorities, nor to reconcile them with each other, though the arrangement of the selections by years instead of by topics has necessitated the addition, in an appendix, of a few pages of chronological notes. The statement in the introduction, that the authors have "tried to make the portion of our work which deals with internal history, as complete as possible", leaves one somewhat uncertain as to how far

the book may be relied on as representing a complete examination of the sources. It will in any case however serve admirably as a basis for a proseminary course in the history of the period.

JOSEPH H. DRAKE.

Les Régions de la France. I. La Gascogne, par L. Barrau-Dihigo, précédé d'une introduction générale : La Synthèse des études relatives aux régions de la France, par Henri Berr. (Paris, Léopold Cerf, 1903, pp. 80.) *La Revue de Synthèse Historique* has begun an admirable work in undertaking to prepare a bibliography of the local history of France according to the old historic provinces. The first one of these to appear is *La Gascogne*, by Barrau-Dihigo, a brochure of eighty pages, which, after a general discussion of the value and the necessity of such work, written by the editor of the *Revue*, organizes the historical material pertaining to Gascony under three heads: (1) sources; (2) general works; (3) special works. Then follows an estimate of the actually achieved historical results, in the form of two essays, one being a survey of Gascon history and the other being entitled "L'esprit gascon". The third portion of the work, in eight pages, calls attention to desiderata with reference to the history of Gascony. We are assured that the whole field of France has been carefully assigned, so that in the not distant future the local historian will have a valuable body of bibliographical material at hand.

J. W. T.

Abbot Francis Aidan Gasquet, head of the English Benedictines, has edited for the Royal Historical Society, in the Camden Society series, under the title of *Collectanea Anglo-Premonstratensia*, a volume of documents illustrating the history of that order in England, drawn from an original register of the order now at Oxford and from the copy of another in the British Museum. The Premonstratensian order, introduced into England in 1143, had twenty houses in the kingdom before the close of the twelfth century, but the documents of this collection, following the registers used, are nearly all from the last part of the fifteenth. A fraction is from the fourteenth, and these are mostly concerned with the relations of the English abbeys with the mother house at Prémontré, particularly in the matter of subsidies due to the latter. The other portions of the collection give much information in regard to the general management and government forms of an order like this, provincial chapters, elections, visitations, etc. A second volume is to follow, giving documents relating to the individual English houses. An interesting historical introduction opens the book, and this has also been printed, omitting some of the more technical portions, in the last volume (XVII.) of the *Transactions of the Royal Historical Society*.

G. B. A.

The Socialist author, E. Belfort Bax, has continued his popular work on *The Social Side of the Reformation in Germany* by a volume on the *Rise and Fall of the Anabaptists* (New York, The Macmillan Company;

London, Swan Sonnenschein and Co., 1903, pp. vi, 407). Owing to the dearth of English works on the subject, this interesting account is a valuable contribution, even if to the reader of German it adds nothing in substance of fact. The treatment given to the material has distinctive character and merits. The author's interest in economic questions makes him view the Anabaptist movement preëminently in its social-economic aspect, as "the culminating effort of mediæval Christian Communism". Attention dwells so largely on this aspect as to pass lightly over one point which to the ecclesiastical historian looms into more prominence as a defining element in the self-consciousness of the Anabaptists. This is the idea of the Anabaptist church as an association of the elect, the chosen people entitled, by divine promise, to sovereignty. This element is indeed given a passing notice in remarks on Biblical study as generative of the movement. In explaining the whole movement as a result of the new popular enthusiasm for the Bible and the pressure of political and economic interests, Bax probably hits the mark better than those who look for historic continuity with medieval sects. Mere historic continuity will not account for the movement, but neither, on the other hand, is Biblicism an explanation without a knowledge of the dominating beliefs and interests which made the Bible yield the conception of a theocratic community. The book is clear, dramatic, and apologetic.

FRANCIS A. CHRISTIE.

Pioneer Spaniards in North America. By William Henry Johnson. (Boston, Little, Brown, and Company, 1903, pp. xvi, 381.) Mr. Johnson is a writer of romantic fiction who has of late turned his attention to the romance of history; for such indeed may be called the stirring and wonderful incidents of adventure and conquest which he has selected for his particular field. His first work in this province was *The World's Discoverers*, in which he presented in a popular and attractive form the story of the search for the route to the Indies. Faithful to the spirit of his last-named work, that of "drawing the attention of young people to the literature of discovery, which abounds in examples of high courage, heroic endurance and unwavering faith", he has now given us his *Pioneer Spaniards in North America*, a sequel to his first work, taking up the story of Spanish enterprise and conquest in North America at the period immediately following that of its discovery.

Of the twelve chapters which compose the volume, a separate chapter is assigned to each of the following subjects: Ojeda, Americus Vesputius and Our Country's Name, Balboa, The Native Americans and Las Casas. The Conquest of Mexico by Hernando Cortés fills two chapters. Six chapters are devoted to the explorations and conquests within the limits of our own country of Ponce de Leon, Narváez, and Cabeza de Vaca, Coronado, de Soto, and Juan de Oñate. There is an appendix in two sections, consisting of an interesting epitome of the early history of the principal Mexican races, their social and religious life. Mr. Johnson has continued the instructive custom followed in his first work of illustrating

his history with maps and designs selected from a large number of accepted authorities, both ancient and modern. There is a list of books of reference and a good index.

The author has shown excellent judgment in devoting so large a share of his work to Spanish adventure within our own country, and in calling the attention of his young readers to the thrilling and little-known exploits of Coronado and Oñate among our Pueblo Indians with their semi-culture as ancient and as interesting in many respects as that of Mexico. He has accomplished his task of condensation by a wise selection of characteristic episodes in the career of each of his heroes. Mr. Johnson has no theory to expound, but only a story to tell, and he does it with simplicity and directness and with apt parallels most serviceable in assisting the comprehension of the subject in the minds of the class of readers to whom the work is more particularly addressed.

The author has drawn his material largely from translations and secondary sources, the majority of which can be recommended for their scholarship and reliability, but it is to be regretted that he has based the de Soto narrative so largely upon Theodore Irving's version of Garcilasso de la Vega's exaggerated account rather than upon the far more reliable and self-contained Biedma and Elvas relations. There may also be some room for a difference of opinion as to the attitude assumed by the early missionaries toward the native deities which they dethroned (p. 321).

It would be invidious to criticize from the standpoint of a more extended history a series of sketches like these, addressed chiefly to young people, and necessarily greatly condensed. The book can be sincerely recommended as an intelligent and interesting introduction to the further study of the history of the Spaniards upon the northern half of our continent.

WOODBURY LOWERY.

The Dutch Founding of New York. By Thomas A. Janvier. (New York and London, Harper and Brothers, 1903, pp. iv, 218.) Delightful reading as magazine articles, the papers of Mr. Thomas Janvier, gathered together into a volume, are disappointing. This is not a history of the Dutch people in New Netherland (which contained a good deal of land outside of New York), nor have we even a summary of events in chronological order. What is presented is an amusing series of discussions of questions which interested the author, enlivened by references to contemporary politics and persons. There is almost a complete absence of treatment of serious questions, such as the right of title to the land, and the real feelings, opinions, and movements of those Dutch people who have left their mark indelibly upon one of the great American commonwealths. The author's references to the passing world of things recent to us will soon have lost their point and be forgotten. What we should like to have is some account of the life of the people, and especially of those beyond Manhattan Island, who were much greater than the commercial agents and rulers that were little better than figure-

heads. Indeed this work treats almost wholly of the Dutch West India Company and its agents, and scarcely refers to those interior forces which kept the New Netherlanders in a constant state of righteous discontent with the company and its incompetent agents. One of the greatest of the makers of New Netherland, Arendt van Curler, is not mentioned, and little beyond Manhattan Island comes under the author's ken. It is wholly a story of things looked at without from the point of view of a reader of Brodhead and Asher who has also some slight acquaintance with documents already well known. In short the author deals chiefly with what had next to nothing to do with the enduring part of the beginnings of New York. The American section of the company's business was but a remote nook, its papers occupying in its offices at Amsterdam but a small pigeonhole, while the real founding of the city and state called New York was done by bold freemen with ideas and intelligence, who believed strenuously in schools and churches and in self-government, even though so many American historians seem to be long in finding this out. In reaction against Washington Irving's subtle mendacity, roaring fun, and ridiculous caricatures, the author shows clearly enough that the Hollanders were neither sleepy, nor over-fat, nor debauched with tobacco smoke or with what people who do not know the difference between German and Dutch call "schnapps"; yet in reality he has been too much inoculated with Irving not to reveal more or less imitation of his style, which is in large part semi-humorous. He thinks that the fall of the company and the conquest by the English were beneficial to all concerned. The occasional use of slang detracts also from the seriousness of the theme. The illustrations and reproductions of early maps and documents, as well as the handsome printing and general outfit of the book, make it an attractive volume for the library.

Louis A. Barbé's pleasantly written *Viscount Dundee* [Famous Scots Series] (New York, Charles Scribner's Sons; Edinburgh, Oliphant, Anderson, and Ferrier, 1903, pp. 159) is based upon a careful examination of both the contemporary and modern literature of the subject. The plan of the series precludes the use of such paraphernalia of erudition as notes, or even a bibliography, but the author has managed to smuggle much information of this sort into the body of his text. The very frequent quotations from the sources add local color to the tale, while controverted points are discussed with as much fullness as the interest of the average reader will permit. While the book contains little that is new, it is accurate and unpartizan, and uses the results of recent research. It is evidently intended for popular use, and will serve the purpose admirably.

G. J.

The Despatches of William Perwich, English Agent in Paris, 1669-1677, preserved in the Foreign State Papers of the Public Record Office, London. Edited for the Royal Historical Society by M. Beryl Curran. (London, Royal Historical Society, 1903, pp. xix, 358.) The letters here

edited, covering the years 1669-1677, are of little value for English affairs, dealing almost entirely with the state of France. They contain, however, some information worth having about trade relations between the two countries; but the most valuable part of the correspondence is that which deals with French and Dutch affairs during the period 1671 to 1676, and much of this is of little use to-day. Perwich was not a first-class news-letter writer. He evidently depended largely on current gossip for his information, and he includes absolutely everything that he hears from the man on the street. Gossip, scandal, assaults, executions, murders, the most insignificant details about the most unimportant events—all is fish for his net. And much of this information is as wildly improbable and sometimes as evidently impossible as it is trivial. Moreover, Perwich seems to have been expected to furnish news from Germany, Italy, Poland, Spain, Turkey, Holland, Portugal, and the north coast of Africa as well as from France. Consequently all sorts of information from all parts of habitable Europe and Africa find place in his despatches.

The task of editing the letters, therefore, is a difficult one, and Miss Curran hardly shows herself equal to it. She has omitted many letters for lack of space, whereas it would have been much more advisable to omit the insignificant chatter of most of the letters, and thus to find space to include everything of any importance. Further, Miss Curran remarks that "where the original is in cipher, only the deciphered portions have been printed, in accordance with a long-established usage." It is to be hoped that she is mistaken about the usage. Certainly an editor is not justified in making no effort to decipher passages, as apparently she has made none.

The editor's foot-notes are also of slender value. They are too general where they are of use, but most frequently they offend by a parade of information which is easily accessible to any student. It is unnecessary to inform the reader that Charles II. was king of England in 1669; that Madame de Montespan and Mademoiselle de la Vallière were mistresses of Louis XIV.; that the ruler of Brandenburg at that period was Frederick William, or to explain who Marshal Turenne was. It is equally unnecessary to remark that Chambor is written for Chambord or Tanger for Tangiers, or that Voltaire declares that an alliance with the Turk was the policy of the French monarchs from the reign of Francis I.

R. C. H. C.

The first instalment of a compilation made by Mr. Joseph Jencks Smith, entitled *Civil and Military List of Rhode Island*, appeared in 1900 and in due time was noticed in this REVIEW. The instalment referred to embraced all officers chosen by the Rhode Island general assembly between the years 1647 and 1800. A second instalment is now at hand. It embraces all officers elected by the general assembly between 1800 and 1850, and, besides, all the officers from Rhode

Island in the Revolutionary War appointed by the Continental Congress, all Rhode Island officers in the regular army and navy to 1850, and all such officers in privateer service during the colonial wars, the Revolutionary War, and the War of 1812.

An extended comparison of Mr. Smith's book with the original records would be needed as a basis for any statement as to its trustworthiness. If trustworthy (as it may be presumed to be), its value should be considerable. A criticism made upon the earlier volume may be repeated with regard to this. The index lumps together all the Smiths, all the Harrises, all the Hazards, etc., so that upon the investigator concerned with any particular Smith, Harris, or Hazard there is devolved much labor that should be unnecessary. Besides the main index, there is one to chartered military companies and one to vessels mentioned in the work.

I. B. R.

The Foundations of Modern Europe. Twelve lectures delivered in the University of London by Emil Reich (Doctor Juris). (London, George Bell and Sons, 1904, pp. 262.) This is an attempt to "give a short sketch of the main facts and tendencies of European history from the year 1756". It is not, however, as might be feared, a dull mass of detail. The lectures summarize and interpret. It is the sort of writing about history that must be done if the public are ever going to be allured to read it as they used to read it. The ideas of the author are always interesting, though frequently because they suggest dissent rather than approval. A certain amount of exaggeration of statement is perhaps unavoidable when a historical lecturer is trying, and trying successfully, to be at once very condensed and very interesting. But Dr. Reich is a little "cock-sure" about a large number of things. As, for example, when he tells us that "the well-known works of Taine, Tocqueville, Sybel, Buckle, Sorel and others on the French Revolution . . . have not in reality advanced our insight into the causes of the French Revolution" — and then proceeds to do so himself in ten pages.

The statements he assumes as the basis of reasoning will not always bear examination. When he gives great weight to the "academic interference of the French Encyclopædists with the English colonies", it appears that he is unacquainted with the latest work of specialists. The ideas of the Declaration of Independence are not derived from the French encyclopedists, but from the place whence they also drew, the works of Locke. But his book is often brilliant and always interesting.

One great advantage is his international standpoint. He succeeds in escaping from a tendency to overlook European history as an Englishman, a Frenchman, or a German. He has not, however, escaped the modern disease of imperialism and sneers rather unworthily at "peace, non-intervention and all similar ideal dreams of rich bankers or multimillionaires". He ought to have been saved from this by the just emphasis which the epilogue shows he lays upon the idea of nationalism.

In discussing it he makes plain that he does not know America as well as he does Europe, else he never would have said, "All over the United States . . . there is one description of mind, of manners, customs, views" — which is precisely what there is not in the United States.

The style is interesting, but the writer overworks adjectives like vast, immense, and great. They come in layers. In one chapter of twenty pages, "great" does not occur on seven pages but appears thirty-five times in the remaining thirteen pages. This is natural and pardonable in speaking, but when the book reaches its second edition, which the reviewer trusts will be soon, Dr. Reich will add to its interest if in some places he studies either paucity or variety of adjectives.

PAUL VAN DYKE.

Three Frenchmen in Bengal, or the Commercial Ruin of the French Settlements in 1757. By S. C. Hill, B.A., B.Sc., Officer in charge of the Records of the Government of India. (London, Longmans, Green, and Company, 1903, pp. xi, 182.) European settlements in India prior to the nineteenth century faced a double danger — the hostility of native rulers and the rivalry of other European establishments. At the same time they were both military posts and commercial agencies, compelled to maintain the largest degree of political independence consistent under the existing circumstances with continued economic prosperity. Furthermore the exigencies of European politics might at any time seriously alter prevailing conditions in India. These factories therefore endured a hazardous existence. In Mr. Hill's book is the record of the successive ruin by the English of three French establishments in Bengal — Chandernagore, Cossimbazar, and Dacca. All this was in the year of the massacre at Fort William Henry and of the Prussian victory at Rossbach. A personal interest is supplied by the fact that the story of French defeat in Bengal is told largely in the language of three French civilians in authority at the respective settlements. Mr. Hill's researches have been chiefly in the British Museum, where he found the memoir of M. Law, chief at Cossimbazar; and in French archives, where he found letters from M. Renault of Chandernogore and M. Courtin of Dacca. The Orme manuscripts, the Madras and Bengal records at the India Office, and the Clive papers at Walcot were also examined and are liberally quoted. Four maps and plans adapted from those by Rennel and one by Mouchet are given. There is considerable repetition, due to the fact that each of the three Frenchmen tells his own story as a whole; on several occasions fuller explanations of existing conditions in India would have been welcome; and some of the references are blind, being only of a general nature. But aside from these three points, the book is an admirable addition to the history of European politics in Asia; and certain matters of permanent and general interest are well illustrated by this story of the gallant but vain defense offered by the French. In the first place, the complicating factor presented by the uncertain attitude of the natives to the rival foreigners, the constant danger that the nawab

might make common cause with the French, and the chaotic condition of native politics are clearly brought out. Secondly, the paralysis from which French authority in India suffered was due both to the neglect of the home government and to the short-sighted policy adopted by many of the military officers in India. Thirdly, the great factors in British success were the hearty coöperation, rarely interrupted, between civil and military authorities, the early recognition that ultimate victory in India must be won in Bengal, and the prompt appreciation of the immense importance of sea-power as a condition to security in India. Mr. Hill's work casts welcome light on all these matters.

ALFRED L. P. DENNIS.

The History of the State of Indiana, from the Earliest Explorations by the French to the Present Time, containing an Account of the principal Civil, Political, and Military Events from 1763 to 1903. By William Henry Smith. (Indianapolis, Western Publishing Company, two vols., pp. xii, 511; viii, 522.) These two large volumes, with a comprehensive subtitle, might properly be called a newspaper correspondent's sketches and impressions of Indiana. They are apparently made up from some source extracts, from newspaper clippings, general reading, personal interviews, and recollections. The work contains chapters or sketches on the mound-builders, Indians, schools and colleges, parties, laws and courts, banks, benevolent institutions, prisons and reformatories, civil government, agriculture, literature and art, and other topics deemed important enough to be included in a full and complete "write up" of the state. The volumes may, perhaps, be said to have some historical use and interest without much historical merit. They are written without any sense of historical method and, apparently, without much acquaintance with the general historical literature that might have been brought to bear upon the subject. Extracts are given on many topics from old sources, but these sources are usually not named nor in any way verified, and the impression is given that the work is chiefly made up from scrap-book materials and other information that the author remembers sometime to have read or heard. No sources are cited, no references given, no due sense of proportion exhibited. One feels that he is reading only miscellaneous, scrappy material for which he has nothing but the author's word. The volumes are poorly printed on poor paper with very crude illustrations.

The appendix contains a copy of the state constitution, a useful list of the state governors, of the United States Senators from Indiana, and of the state delegations in the lower House, and of Indiana military leaders, together with the popular vote of the state in presidential elections from 1816 to 1900. With all its defects, the work has a good deal of valuable information in it (plausible if not proved), fairly well indexed, which should make it of interest to Indiana readers.

Deux Mois à Paris et à Lyon sous le Consulat. Journal de Mme. de Casenove d'Arlens (Février-Avril, 1803). Publié pour la Société

d'Histoire Contemporaine par A. de Cazenove. (Paris, Alphonse Picard et Fils, 1903, pp. xxxvi, 176.) Mme. d'Arlens, by birth, was a leading family of Lausanne. As usual at the time with gentlemen of rank in the canton of Vaud, her father, Baron Constant-Rebecque, with her brother and son, all followed the profession of arms in the service of foreign powers, chiefly France. She married, in 1785, Antoine de Cazenove d'Arlens, an officer of Dutch origin who retired from the French service, a lieutenant-colonel of hussars, in 1792. In the following years Mme. d'Arlens entertained freely at Montchoisy near Lausanne the émigrés of rank then leaving France. At the same time she established, partly through her cousin Benjamin Constant, a friendship, strengthened by common tastes, with Mme. de Staël. Mme. d'Arlens, before her death in 1825, issued with some success seven of the voluminous romances then in vogue. The present work, a manuscript in the editor's possession, records in pleasing style a visit to Paris and Lyons. The diarist's capacity for observation was fair, and her opportunity good. The returned émigrés, whom she had befriended at Montchoisy, welcomed her into the old aristocracy; and through a brother-in-law, Théophile de Cazenove, who had been Talleyrand's host in America and became in 1799 his assistant at the Foreign Office, she was brought well within the outskirts of the official circle. What she saw and heard she tells freely. Politically of comparative unimportance, the narrative, reinforced by the editor's introduction and notes, gives an intelligible picture of polite society in Paris when costumes of ladies of fashion, jewels and shoes included, weighed but two or three pounds.

H. M. BOWMAN.

The effort to organize effectively researches in modern history is being earnestly forwarded in France. The most recent indication is the formation of a Société pour l'Histoire de la Révolution de 1848. Upon its directing committee are, among others, Professors Aulard and Levasseur, M. Anatole France, and the Socialist deputy Jaurès. Another indication is the appearance of such a book as *Le Département du Nord sous la Deuxième République* (Lille, G. Leleu, 1904, pp. 448) by A.-M. Gossez. Its subject is the economic and political condition of the department from 1846 until the establishment of the empire. Unlike most French historical works, it is a plain statement of facts without charms of style or artistic setting. This lack is more than compensated by the interest of the facts themselves, which are drawn from a mass of evidence taken from the archives in Paris and in the department, from official reports, from contemporary newspapers, and from works called out by the controversies of the time. Should equally satisfactory books be written on the more typical of the other departments, they would renew the study of the revolution. Possibly the most suggestive part of the work is the analysis of results of the investigation ordered by the National Assembly, May 25, 1848, into the industrial and agricultural condition of the departments. The truly pitiable situation of the French

workman at the time is astonishing. With long hours of labor and small wages, one is not surprised at occasional riots or at the vogue of socialistic dreams. M. Gossez notes one curious custom growing out of the transformation of the domestic system into the factory system, namely, the retention by employers of a part of the wages of the employes as a fund to pay for the wear and tear of machines. The reason alleged by the employers was that under the former system the workmen had to purchase their own machines, whereas these were furnished by the factory. M. Gossez finds that the "moderate" republicans showed little interest in the results of the investigation, which were soon lost sight of in the controversies between the various factions. He believes that this was the real reason why the republic collapsed; for "*La forme du gouvernement importe moins au peuple que ses intérêts économiques, que la possibilité de vivre sous le gouvernement établi.*" Napoleon was wiser than the republicans; he based certain of his reforms upon the teachings of the investigation and so appropriated all the credit of the undertaking.

H. E. BOURNE.

There is an air of modesty about the title *Gossip from Paris during the Second Empire*. (New York, Appleton, 1903, pp. vi, 354.) The book is made up of selections by A. R. Waller from the correspondence of Anthony B. North Peat during the years 1864-1869. Mr. Peat was attached to the French Ministry of Interior and had access to the daily batch of telegrams from all parts of the country. The letters were addressed principally to the *Morning Star*, a London daily, and the author's discretion was such that his superiors sanctioned the enterprise. His unusual sources of information give even to gossip some historical value. Much of the volume is filled with comments upon men, women, and things—gossip, but gossip of a sort which adds color and tone to one's picture of life under the Empire. There is also not a little that is directly helpful to the student of the period. One becomes acquainted with the social relationships of prominent politicians, with the every-day feeling of Paris toward them, and in this way discovers some of the hidden springs of action. Occasionally the sayings of a public man reveal as clearly as would a didactic chapter an interesting attitude toward a contemporary question. Lamartine, for example, at the time of the Mexican expedition, talked about preaching a crusade of Europe against America as the "Saracens of modern times". He was particularly irritated by the leveling tendencies of the American system. Altogether the elections are made with excellent judgment.

H. E. B.

At the present juncture, with a general election pending, and with liquor licensing, next to protection and the Education Acts, the most prominent question in English domestic politics, Mr. and Mrs. Sidney Webb's *The History of Liquor Licensing in England Principally from 1700 to 1830* (London and New York, Longmans, 1903, pp. ix, 162) is

peculiarly timely. It is more than a compilation of the laws; for Mr. and Mrs. Webb deal with the forces in social life which gradually brought about the enactment of the existing complicated code, and also with the manner and spirit in which the liquor laws have been administered. For this part of the work there has been much original research in the records of the licensing magistrates in brewster sessions and also in the records of quarter-sessions, to which appeals from decisions in brewster sessions are made. Mr. and Mrs. Webb show that the local magistrates have been entrusted with both supervisory and judicial powers since the reign of Edward VI.; and further they elucidate one fact not hitherto generally known to students of local government in England. This is that in the days of the Tudors and the Stuarts, the Privy Council exercised power over local government, certainly over licensing and the policing of the liquor trade, not unlike those which since the early years of the nineteenth century have been exercised by the Home Office and the Local Government Board. This history of licensing is part of a larger work on the history of local government which Mr. and Mrs. Webb are about to publish through Messrs. Longmans. The wide-spread interest just now taken in the licensing question led to the publication of these early chapters, which not only have a present usefulness, but which from the thoroughness with which they have been done and the lucidity which marks the treatment of the subject, create a feeling of pleasing expectancy in regard to the forthcoming work on English local government.

E. P.

Another serviceable book on the same subject as the above, written however from the point of view of the trade, is the *Brewers' Almanac* (the Review Press, London) edited by Mr. W. E. Montgomery, M.A., LL.D. and Mr. P. C. Morgan. This book is valuable at this juncture because, while Mr. and Mrs. Webb's treatise ends at 1830, it traces the attitude of Parliament toward the trade since 1869, and in particular sums up the causes leading to the present agitation, an agitation entirely due to the increased use by the magistrates of their supervisory and judicial powers. This activity dates from 1892, when the case of *Sharp versus Wakefield* was decided in the House of Lords adversely to the liquor trade. Since then magistrates in brewster sessions have been continuously reducing the number of licensed houses. Over six hundred renewals of licenses were refused in 1903, a proceeding so disturbing to the trade that it appealed to the premier for statutory protection from the magistrates, and in consequence the government introduced the bill about which the present agitation centers. The financial relation of the government with the trade from the reign of Charles II. is also worked out in elaborate statistical tables by Messrs. Montgomery and Morgan. From a student's point of view these are most valuable, as they bring out in detail the changes in the economic basis of the trade since about 1870, when the old brewing undertakings were converted into vast limited liability companies controlling large capital and wielding an increasing power in

Parliament and in the electorate. In these two volumes are to be found the basal facts of the present agitation — an agitation which is likely to be a most important factor in the approaching general election.

E. P.

Biblioteca Filipina. By T. H. Pardo de Tavera, of Manila. (Washington, Government Printing Office, 1903, pp. 439.) This is Part II. of Senate Document No. 74 (Fifty-seventh Congress, second session), Part I. being a classified list of the books and articles in periodicals on the Philippine Islands, as well as maps of them, in the Library of Congress, both having now been published in separate volumes by the Library. The first part was noticed in the last number of the REVIEW. Taken together, these two works constitute by far the most satisfactory and complete bibliography of the Philippines that has ever been issued. Indeed, the scattered bibliographical works of the prejudiced Retana, and the more systematic work of Medipa, the Chilean, which catalogued 667 numbers, sink into comparative insignificance beside these lists. Doctor Tavera, who began his study of Philippine and Oriental languages in Paris and has ever since been an ardent collector of Philippina, catalogues 2,850 numbers, perhaps half of which are in his Manila library, and his list somewhere nearly approaches a systematic classification of printed works on the Philippines. For reference the student will find the list of Mr. Griffin of the Library of Congress more convenient, because of its subject classification and its employment of the methods of the up-to-date bibliographer. Supplementing this, the work of Doctor Tavera will need to be consulted at every turn, aside from the fact that it contains much material not listed in the Library of Congress bibliography. The comments of Doctor Tavera are not always strictly bibliographical, and sometimes not free from hints of the political controversies in which he has been engaged, particularly for six years past; but they are always of interest, and not infrequently their shafts of sarcasm shed light bibliographical as well as political.

JAMES A. LE ROY.

NOTES AND NEWS

The death of Frederick York Powell, Regius Professor of Modern History at Oxford, which occurred on May 8, removes one of the leaders among historical scholars in England. His leadership was not indeed as a writer of history, the little he produced in that character consisting chiefly of the booklet on *Early England* in Creighton's "Epochs of English History", and a similar volume on England to 1509. He was distinguished rather for remarkably wide and accurate learning, for work of an editorial and critical order, and for his generous assistance of others. Especially interested in Scandinavian history and literature, he produced, in collaboration with Vigfusson, the *Grimm Centenary Papers*, and *An Icelandic Prose Reader*; edited, also with Vigfusson, *Corpus Poeticum Boreale* and *Islandica Antiqua*; wrote an introduction to Elton's *Saxo Grammaticus*; and translated, and wrote an introduction to *The Tale of Thron of Gate*. He also edited the series of "English History from Contemporary Writers", and contributed many reviews and articles on historical and literary subjects to various periodicals. However, since his death as during his life, those who knew him have commonly dwelt especially upon the extent to which he directed and encouraged younger men, and it seems not unlikely that he gave away, of suggestions and plans and ideas, quite as much as he ever used himself.

Thomas Graves Law, Librarian of the Signet Library, Edinburgh, and long identified with work in the field of religious history, died March 12 last, at the age of sixty-eight. To him is due among many other publications, "Douay Diaries", forming the first volume of *Records of English Catholics under the Penal Laws*; and *The Archpriest Controversy* (Camden Society). Steps are being taken in Edinburgh toward publishing, in his memory, a volume which shall bring together his more scattered writings.

Bishop Edmund Hobhouse, whose death at an advanced age occurred recently, rendered valuable service, especially in the field of church history. His best work related to parochial life in England in the later middle ages: *Churchwardens' Accounts of Croscombe, Pilton, Yatton, Tintinhull, Morebath, and St. Michael's, Bath, 1349-1560* (1890). Shortly before (1887) he produced the *Calendar of the Register of John de Drokenesford, Bishop of Bath and Wells, 1309-1329*.

Luigi Chiala, editor of the letters of Cavour, and editor or author of many other publications connected with the Italian Risorgimento, died at Rome, April 27.

History has lately lost by death the service of two distinguished Belgian scholars, both connected with the University of Louvain: E. H. J. Reusens, who worked principally in the field of Christian archeology;

and P. P. M. Alberdingk Thym, who while professor of Netherlandic and Germanic literatures, devoted himself especially to medieval history, producing among other important works a book on charitable institutions in Belgium from the time of Charlemagne to the sixteenth century. Bibliographies of the writings of these scholars are given in the *Archives Belges*, Vol. VI., respectively at pages 16 and 56.

Professor Alfred L. P. Dennis, of Bowdoin College, has accepted an election as associate professor of modern history in the University of Chicago.

Professor Friedrich Keutgen, of the University of Jena, will be at Johns Hopkins University in the capacity of a resident lecturer from October to June and will give graduate instruction in the early constitutional history of Germany, France, Italy, and England. He will also lecture on paleography and diplomatics with practical exercises in literary research. Professor Keutgen is now ausserordentlicher professor in Jena.

Doctor Lilian Wyckoff Johnson, formerly of the University of Tennessee has been inaugurated as president of the Western College for Women at Oxford, Ohio.

Under the authorization of the action taken at the New Orleans meeting, the Pacific Coast Branch of the American Historical Association was formally inaugurated at a meeting that was held at the Mechanics Institute, San Francisco, on Saturday, April 9. The following officers were elected to serve until the first annual meeting, which it is expected will be held in November: President, Horace Davis, of San Francisco; Vice-President, John T. Doyle, of Menlo Park; Secretary-Treasurer, Professor Max Farrand, Stanford University; Executive Committee, George Beanston, San Francisco, Professor C. A. Duniway, Stanford University, Rockwell D. Hunt, San Jose, Professor H. Morse Stephens, University of California.

The first article in the April number of *The Iowa Journal of History and Politics* is by Paul S. Reinsch on the foundation and the purposes of the American Political Science Association.

A historical congress is to meet at St. Louis in the third week in September. A number of noted scholars will be present and an attractive programme has been prepared. On the general subject of historical science Woodrow Wilson will be the chief speaker. The programme is as follows: Political and economic history. — chairman, Andrew D. White; speakers, William M. Sloane, James H. Robinson. Section *a*, History of Asia. — chairman, William W. Rockhill; speakers, Henri Cordier, Arminius Vambery. Section *b*, History of Greece and Rome. — chairman, T. D. Seymour; speakers, J. B. Mahaffy, Ettore Pais. Section *c*, Medieval History. — chairman, Charles H. Haskins; speakers, Karl Lamprecht, George B. Adams. Section *d*, Modern History of Europe. — chairman, J. B. Perkins; speakers, A. N. Rambaud, J. B. Bury.

Section *e*, History of America. — chairman, James Schouler; speakers, F. J. Turner, Albert Bushnell Hart. Section *f*, History of Economic Institutions. — chairman, William W. Farnum; speakers, Simon N. Patten, T. Conrad. Of Department 4, dealing with the History of Law, the chairman is David J. Brewer and the speakers Emlin McClain and Nathan Abbott. Section *a*, History of Roman Law. — chairman, William W. Howe; speakers, Professor Zittelmann, Munroe Smith. Section *b*, History of Common Law. — chairman, John D. Lawson; speakers, Simeon E. Baldwin, John H. Wigmore.

What should be the fundamental features of a synthetic work on the history of the sciences is discussed by P. Tannery in the opening article of the *Revue de Synthèse Historique* for February: "De l'Histoire générale des Sciences". In this number are also several continuations, among them G. Dottin's general review of contributions to the history of Celtic literature: "La Littérature Gaélique de l'Ecosse.—La Littérature Cornique.—La Littérature Bretonne Armoricaire". The April number contains the first part of a discussion of "Le Problème des Idées dans la Synthèse historique, à propos d'Ouvrages récents", by the editor, Henri Berr; the sixth part of "L'Appropriation privée du Sol, Essai de Synthèse", by Paul Lacombe; "Nos Enquêtes.—Questionnaire sur l'Enseignement supérieur de l'Histoire", by Barrau-Diégis.

A highly important work on the history of the family, which will be of interest as well to the sociologist and the legal and social reformer as to the historian, has just been published by the University of Chicago Press: *A History of Matrimonial Institutions, chiefly in England and the United States*, in three volumes, by Professor George Elliott Howard. This work is the fruit of many years' labor. The main body of it is divided into three parts, of which the first gives an analysis, extending through some two hundred and fifty pages, of the literature and the theories of matrimonial institutions; the second, in nearly three hundred and fifty pages, treats of matrimonial institutions; and the third, in some six hundred and fifty pages, treats of these institutions in the United States. In addition to all this and to a case index and a subject index, there is an exhaustive bibliographical index, extending over nearly one hundred and fifty pages and containing in itself the result of years of painstaking work.

M. Émile Levasseur, and a number of other scholars and of men of affairs, have lately founded at Brussels a new economic periodical, which will often have matter of interest to historical students: *Revue Économique Internationale*, to be published monthly, at fifty-six francs for subscribers outside of Belgium and France (Brussels, 4 Rue du Parlement). The opening article of the first number (March) is by M. Levasseur, entitled "Coup d'Œil sur l'Évolution des Doctrines et des Intérêts Économiques en France".

Noteworthy articles in periodicals: H. J. MacKinder, *The Geographical Pivot of History* (Geographical Journal, April); K. Breysig,

Einzigkeit und Wiederholung geschichtlicher Thatsachen (Jahrbuch für Gesetzgebung, Verwaltung und Volkswirtschaft im deutschen Reich, XXVIII., 1); Max Hennig, *Ueber Ideen in der Geschichte* (Neue Jahrbücher für das klassische Altertum, etc., April); James W. Thompson, *Some Famous Historical Collections in Paris* (Literary Collector, March).

ANCIENT HISTORY.

Professor Rufus B. Richardson's *Vacation Days in Greece* (New York, Charles Scribner's Sons, 1903, pp. xiii, 240) is made up of a series of articles contributed by the former director of the American School of Archæology at Athens during his eleven years' residence in Greece. Omitting the much traveled and described centers such as Athens, Corinth, and the Argive plain, Professor Richardson tells of the out-of-the-way places he has visited during his holiday wanderings, not only in Greece proper, but in Sicily and Dalmatia as well. Many bits of history, archeology, topography, and personal impression are unconventionally woven together in this fragmentary but charming account.

Noteworthy articles in periodicals: A. J. Delattre, *Les Pseudo-Hébreux et les Lettres de Tell-el-Amarna* (Revue des Questions Historiques, April); L. Bréhier, *La Royauté Homérique et les Origines de l'État en Grèce*, concluded (Revue Historique, May); V. Gardthausen, *Kaiser Augustus* (Neue Jahrbücher für das klassische Altertum, etc., April).

MEDIEVAL HISTORY.

The theology of Augustine occupies a large place in the April number of the *Revue d'Histoire Ecclesiastique*, two considerable articles being given to it: "La Doctrine Christologique et Sotériologique de Saint Augustin et ses Rapports avec le Néo-platonisme", by C. Van Crombrugghe; and "La Question de la Prédestination aux V^e et VI^e Siècles. Saint Augustin", by M. Jacquin.

The Dark Ages, by W. P. Ker, was recently issued in the series of "Periods of European Literature", edited by Professor Saintsbury. By "dark ages" is meant here the centuries of the barbarian migrations (New York, Scribner).

Some fifty pages of the current number (II., 2) of the *Archiv für Kulturgeschichte* are devoted to the first instalment of a study upon the financial relations between the merchants of the Hansa and the English kings of the thirteenth and fourteenth centuries: "Geldgeschäfte hansischer Kaufleute mit englischen Königen im 13. und 14. Jahrhundert", by G. Grosch.

Noteworthy articles in periodicals: Léon le Grand, *Les Pèlerinages en Terre Sainte au Moyen Age* (Revue des Questions Historiques, April); Marcus N. Adler, *The Itinerary of Benjamin of Tudela*, improved text and translation (Jewish Quarterly Review, April).

MODERN HISTORY.

Messrs. Longmans, Green, and Company have just published *Lectures on European History*, by Bishop Stubbs, edited by Arthur Hassall. They are nearly all grouped under three heads: "The Emperor Charles V."; "The Political History of Europe from the Resignation of Charles V."; and "The Political History of Europe during the Thirty Years' War".

Two more volumes (the second and third) of R. Waddington's diplomatic and military history of the Seven Years' War have appeared: *La Guerre de Sept Ans* (Paris, Firmin-Didot). Their respective subjects are "Crefeld et Zorndorff" and "Minden-Kunersdorf-Québec".

Don Philip, Infanta of Spain and Duke of Parma, has lately been treated in a volume based on unpublished documents: *Le Gendre de Louis XV*, by Casimir Stryienski (Paris, Calmann-Lévy).

The chapters in Lecky's *History of England during the Eighteenth Century* which deal with the French Revolution have been separately published with an introduction and notes by Professor Henry E. Bourne (New York, Appleton, 1904). The notes appear at the end of the volume, as in the similar edition of the chapters on the American Revolution, and are of such a character as to be distinctly helpful to the reader. Naturally use has been made by the editor of important works which have appeared since Mr. Lecky wrote, especially the writings of Sorel and Aulard.

An exhaustive work on the military side of Napoleon's career, by Colonel Theodore A. Dodge, is in course of publication, two of its four volumes being already out: *Napoleon* (Boston, Houghton, Mifflin and Company.) It forms part of the author's *History, Origin and Growth of the Art of War*. There are many charts, maps, and other illustrations.

The new books relating to recent times include *The History of Twenty-Five Years* (2 vols.), by Sir Spencer Walpole. It covers the period from 1856 to 1880, and in a sense is a continuation of the author's *History of England from the Conclusion of the Great War of 1815 to 1858*. The field of treatment however has been so extended as to include other nations besides England, and accordingly it has been issued as a separate work (Longmans, Green, and Company).

We have received *A Hand-Book of Modern Japan* by Ernest W. Clement (A. C. McClurg and Company), which "endeavors to portray Japan in all its features as a modern world power". There are chapters on "Physiography", "History", "Constitutional Imperialism", "Local Self-Government", "Language and Literature", "Education", "Industrial Japan", "Manners and Customs", and religion. The book is well illustrated, contains two maps and a statistical appendix, while at the close of each chapter is a select bibliography.

Noteworthy articles in periodicals: *The Women of the Renaissance* (Edinburgh Review, April); W. A. Dunning, *The Monarchomachs*.

Theories of Popular Sovereignty in the Sixteenth Century (Political Science Quarterly, June); J. C. Bracq, *La Question de Terre-Neuve, d'après des Documents Anglais* (Revue Historique, May); Count M. de Germiny, *Guichen et les dernières Croisières Franco-Espagnoles de la Guerre d'Indépendance des États-Unis* (Revue des Questions Historiques, April); Victor Pierre, *Le Clergé Français en Espagne, 1791-1802* (Revue des Questions Historiques, April); G. Servières, *Le Rôle de Bourrienne à Hambourg, 1805-1810* (Revue Historique, March and May); G. Cavaignac, *L'Allemagne et Napoléon en 1813* (Revue des Deux Mondes, March 15); R. M. Johnston, *Lord William Bentinck and Murat* (English Historical Review, April); G. Bapst, *Napoléon III. à Magenta* (Revue Historique, March); É. Ollivier, *Premier Conflit avec la Prusse: Le Luxembourg, 1867* (Revue des Deux Mondes, May 15).

GREAT BRITAIN.

Renewed interest is attached to M. Émile Boutmy's book on the political psychology of the English people by its appearance in English, and especially by the considerable preface which Mr. J. E. C. Bodley contributes to it on this occasion: *The English People: a Study of their Political Psychology*, translated by E. English (London, Unwin).

A French translation of Stubbs's *Constitutional History of England* is in progress. M. Petit-Dutaillis, under whose direction the work is being done, will add an introduction, and new notes on disputed questions (Paris, Giard et Brière).

The Domesday Boroughs, by Adolphus Ballard, has just been published by the Oxford University Press.

The Selden Society's publication for 1904 is to be a first volume of *Select Borough Customs*, edited by Miss Bateson.

A new edition of More's *Utopia* has just come to hand which can justly claim scholarly consideration: *Sir Thomas More's Utopia*, edited with introduction and notes, by J. Churton Collins (Oxford, Clarendon Press, 1904, pp. lii, 283). The text is in the main that of the first edition of Robynson's translation, "Imprinted at London, by Abraham Vele . . . at the sygne of the Lambe . . . 1551." This is preceded by an introduction which sets forth matter on the life of More, the origin, inspiration, framework, models, plot, and purpose of the work, and its early editions and translations. Following the text are a hundred pages of notes, designed to meet the needs of both elementary and advanced students, and a serviceable glossarial index—this last contributed by Hilda M. R. Murray.

The text written by Dr. Airy for the handsomely illustrated monograph on *Charles II.* which the Goupil house published in 1901 has now been issued separately (Longmans).

With the object of throwing a side-light on the social history of the seventeenth and eighteenth centuries, Mrs. Arthur Colville has compiled

and arranged a volume on *Duchess Sarah, being the Social History of the Times of Sarah Jennings, Duchess of Marlborough* (Longmans).

Two recent books on contemporary affairs may be noted: *Eight Years of Tory Government, 1895-1903*, a compilation by Augustine Birrell (Liberal Publication Department, London), and Arthur P. Poley's *Guide to the Housing Acts*, which covers all the legislation from 1882 to 1903 (Eyre and Spottiswoode, London).

A new edition of Sir Robert Douglas's *Peerage of Scotland* is in progress, under the editorship of Sir James Balfour Paul. It will be issued this time under the title of *The Scots Peerage*, and in six volumes, the first of which is now ready (Edinburgh, David Douglas).

"The Moulding of the Scottish Nation", by Professor Hume Brown, forms the opening article of the *Scottish Historical Review* for April. The other longer contributions are: "A Literary Relic of Scottish Lollardy", in which Principal Lindsay treats of Murdoch Nisbet's *New Testament in Scots*, published lately by the Scottish Text Society; and "The Municipal Institutions of Scotland: a Historical Survey", concluded from the January number, by Sir James D. Marwick.

Noteworthy articles in periodicals: Ella S. Armitage, *The Early Norman Castles of England. I.* (English Historical Review, April); C. H. Firth, *Clarendon's History of the Rebellion. II. The 'Life' of Himself* (English Historical Review, April); A. L. Cross, *English History and the Study of English Law* (Michigan Law Review, II., 8).

FRANCE.

Students of the feudal period of France will take up with interest and confidence two new works by Ferdinand Lot: "*Études sur le Règne de Hugues Capet et la Fin du X^e Siècle*", which forms fascicle 147 of the *Bibliothèque de l'École des Hautes Études*; and *Fidèles ou Vassaux*, an essay upon the legal nature of the bond which united the great vassals of the royal power from the middle of the ninth to the end of the twelfth centuries (Paris, Bouillon).

The fourth fascicle of M. Molinier's part in the *Sources de l'Histoire de France* was recently placed on sale: "*Les Valois (1328-1481)*" (Paris, Picard). Note may also be made of the beginning of the sixth volume (by M. Mariéjol) of the Lavissee *Histoire de France*, the first part of which treats of "*La Réforme et la Ligue.—L'Édit de Nantes (1559-1598)*" (Hachette).

Several articles relating to the Revolutionary and Napoleonic periods have appeared in recent numbers of the *Revue d'Histoire Moderne et Contemporaine*. Two of them, already cited in the April issue of the REVIEW, embody a searching criticism of a book which was received with all but unanimous commendation, the fifth volume of Sorel's *L'Europe et la Révolution Française*: "*Étude Critique sur 'Bonaparte et le Directoire' par M. Albert Sorel*" (January and February numbers of the

Revue). The authors of this criticism, R. Guyot and P. Muret, set forth, with detailed justification, that M. Sorel left unconsulted a great number of documents which are essential to his subject; that in rigor of method and care of interpretation he falls short of present-day standards; that in consequence his work, though of value, lacks solidity, and has not the definitive character which has commonly been ascribed to it—in short, that there is still room, after this essay at synthesis, for numerous important studies on the foreign history of the Directory. A bare mention will suffice for two other articles: “Le Duc d’Orléans, à Paris et à Londres en Mai-Juin 1814”, a hitherto unpublished account in the form of a report by the Duke of Orleans to his father-in-law, Ferdinand IV. (March number); and, by Ph. Sagnac, “La Division du Sol pendant la Révolution et ses Conséquences” (April number). It may be added here that the seventh part of M. Sorel’s great work was published in the spring, its subject being “Le Blocus Continental—Le Grand Empire. 1806–1812” (Paris, Plon-Nourrit).

The tragic affair of the Duc d’Enghien is the subject of a two-volume collection of material now being published by the Société d’Histoire Contemporaine: *Correspondance du Duc d’Enghien (1801–1804) et Documents sur son Enlèvement et sa Mort*, gathered from various archives, by Count Boulay de la Meurthe. Most of this material has not been published before. Also, it is here accompanied by an important historical introduction (Paris, Picard).

James Pott and Company have published *Paris in '48, Letters from a Resident describing the Events of the Revolution*, by Baroness Bonde (New York, 1903, pp. xi, 272). The letters are entertaining. Constance E. Warr has prepared an introduction.

A society has been founded to further the study of the history of the Revolution of 1848: La Société d’Histoire de la Révolution de 1848. Among its officers are M. A. Carnot, president, and M. Henry Michel, general secretary. It will publish a *Bulletin*, under the editorship of M. G. Renard.

A general review of work relating to the history of the region of Lyons, from a particularly appropriate hand, appears in the February number of the *Revue de Synthèse Historique*: “Le Lyonnais”, by S. Charléty.

Noteworthy articles in periodicals: R. Bloomfield, *The Art of the French Renaissance* (Quarterly Review, April); H. Hauser, *Études Critiques sur les Sources Narratives de l’Histoire de France au XVI^e Siècle*.—II. *Annales et Chroniques* (Revue d’Histoire Moderne et Contemporaine, April); H. See, *L’Administration de deux Seigneuries de Bassé-Bretagne au XVIII^e Siècle* (Annales de Bretagne, April); Ch. Schmidt, *L’Industrie dans le Grand-Duché de Berg en 1810. Addition aux “Mémoires” de Beugnot. I.* (Revue d’Histoire Moderne et Contemporaine, May); P. Férét, *Les Ordonnances de 1828* (Revue des Questions Historiques, April).

ITALY, SPAIN.

The Prussian and Italian historical institutes at Rome have entered together upon a systematic examination of material in the archives of Italy that relates to the period before 1300. At the head of the commission charged with this work are Professors Kehr and P. Villari.

Mention may be made here of two new periodicals announced from Italy, one an organ of the International Society for Franciscan Studies: *Bollettino della Società Internazionale di Studi Francescani in Assisi* (Assisi, Tipografia Metastasio); the other devoted to the literary history of the Latin countries in the middle ages: *Studi Medievali*, half-yearly (Turin, Loescher).

Giacomo Barzellotti, the distinguished Italian philosopher, has published important studies upon the past and present religious and literary life of Italy, entitled *Dal Rinascimento al Risorgimento* (Palermo, 1904, Remo Sandron).

Roma che ride. Settant'anni di Satira, 1801-1870 (Turin, 1904, Roux e Viarengo) is the title of a volume of pasquinades and other political satire, published by Emilio Del Cerro (pseudonym of Padre Nicolò Niceforo). The satire is badly selected and badly edited, but the volume is nevertheless of considerable interest.

Il primo Esilio di Nicolò Tommaseo, 1834-1839: Lettere di lui a Cesare Cantù, Edite ed Illustrate da Ettore Verga (Milan, 1904, L. F. Cogliati) is a volume of primary bibliographical and literary importance. It consists entirely of Tommaseo's letters to Cantù, 1833-1840, the greater number unpublished, of which the originals are preserved among Cantù's voluminous papers.

The third number of the reprint of the famous Italian revolutionary publication, *La Giovine Italia*, has been recently published as the first volume in the fourth series of the *Biblioteca Storica del Risorgimento Italiano* (Milan, 1904, Albrighi, Segati e C.). To have a number of this periodical in one's possession was a crime punishable with a long term of imprisonment if not with death in the days when the originals were current, 1832-1834, and they are now so rare that it has taken a bookseller of Milan twenty years to complete a set. There are six numbers in all; three remain yet to appear in the new edition, which is being edited by Mario Minghini, a scholarly librarian of the Biblioteca Vittorio Emanuele in Rome, in which library one of the very few copies of the original is to be found.

Students of Spanish history in the fifteenth century, especially on its literary side, will welcome an enumeration of all books printed in Spain to the year 1500: *Bibliografia Ibérica del Siglo XV.*, with critical notes by Konrad Haebler (The Hague, Nijhoff).

Professor Edward G. Bourne has translated and edited a chapter from Roscher's *Kolonien, Kolonialpolitik und Auswanderung* (Leipzig, 1885): *The Spanish Colonial System*, which appears as a pamphlet of 89 pages.

Short bibliographical notes have been added by the editor to the original annotation (New York, 1904, Henry Holt). It is published with the hope that it may be useful for collateral reading with college classes.

GERMANY, AUSTRIA.

G. Seeliger, the editor of the *Historische Vierteljahrschrift*, has an article in the April number of that periodical, which, though it treats particularly of "Juristische Konstruktion und Geschichtsforschung", may be considered as a contribution to the discussion of the old question about difference between the pure, or general, historian and the historian whose work and views are primarily determined by interest in some special body of knowledge like law or economics or political science. The aim of the article is to show in definite cases from what comes difference between "legal" and "pure" historians and under what conditions they are really in harmony, and especially how the influence of the "legal" author is reflected in ideas about Folk-law and King-law in the study of the Frankish period.

The Fuggers's indulgence-accounts with the papal court for the year 1517, which were discovered some time ago by A. Schulte, are to be published under the auspices of the Prussian Institute at Rome.

A society for the advancement of work upon the modern history of Austria has been founded at Vienna, the "Gesellschaft für neuere Geschichte Österreichs".

A number of letters written by Bismarck to his wife, during the Franco-Prussian War, were not, it seems, published in *Bismarck Briefe*. Discovered after the publication of the other correspondence, they were printed in a small supplementary volume. The Appletons have just issued these letters; eighty-nine in all: *Bismarck's Letters to his Wife from the Seat of War, 1870-1871*. The letters show occasional gleams of humor, as where he tells his *liebes Herz*: "It is tiresome to run after these Frenchmen, in spite of the charming landscape." The letters will be of interest and possibly useful to one desiring a full view of Bismarck's character.

Noteworthy articles in periodicals: A. Götze, *Die Entstehung der Zwölf Artikel der Bauern* (Neue Jahrbücher für das klassische Altertum, etc., March); O. Hintze, *Das politische Testament Friedrichs des Grossen von 1752* (Jahrbuch für Gesetzgebung, Verwaltung und Volkswirtschaft im deutschen Reich, XXVIII., 2); F. Rächfahl, *Österreich und Preussen im März 1848. Aktenmässige Darstellung des Dresden-Potsdamer Kongressprojektes*, concluded (*Historische Vierteljahrschrift*, April); W. Busch, *Der Kampf um den Frieden in dem preussischen Hauptquartier zu Nikolsburg im Juli 1866* (*Historische Zeitschrift*, XCII., 3); G. Jansen, *Grossherzog Carl Alexander von Sachsen-Weimar in seinen Briefen an Frau Fanny Lewald-Stahr, 1848-1889* (*Deutsche Rundschau*, May).

EASTERN EUROPE.

The first volume of a history of Russia under Nicholas I. has been published by G. Reimer at Berlin: *Geschichte Russlands unter Kaiser Nikolaus I.*, by Theodor Schiemann. This volume is of an introductory character, and treats, with the use of much new material, of Alexander I. and his work. There will be three volumes in all.

The University of Chicago Press announces for publication this year *The Philosophy of the History of a Small Nation*, by Thomas G. Masaryk, of the University of Prague. It treats of Bohemia, especially the work of the leaders in its religious and political history, and is the revision of a series of lectures given by the author at the University of Chicago.

AMERICA.

Mr. A. P. C. Griffin is at work on a supplement to the "Bibliography of the Historical Societies of the United States." The original list appeared in the *Report of the American Historical Association for 1890*, and was continued in the same publication for 1895. The supplementary list will include the publications of new societies as well as the new publications of the societies whose issues were previously listed, thus bringing the list to date.

Attention has already been called to the bibliography of American history prepared by Dr. Ernest C. Richardson and Anson E. Morse. Its full title is *Writings on American History, 1902, an Attempt at an Exhaustive Bibliography of Books and Articles on United States History Published during the year 1902 and some Memoranda on other Portions of America* (Princeton, N. J., The Library Book Store, 1904). The list is long, containing, according to a rough estimate, not far from 6,500 titles. The work is to be continued by the Bureau of Historical Research of the Carnegie Institution.

The *Bulletin of the New York Public Library* for March and April contains Parts III. and IV. of Miss Hasse's list of works relating to constitutions. These concluding parts relate to the United States and the several states and fill about 160 columns. In the April *Bulletin* is also printed, from the manuscript in the Ford collection, a sketch by George Sibald in 1802, giving his opinion as to the claims of the Georgia Company in the Yazoo purchase.

The *Report of the Librarian of Congress for the Fiscal Year ending June 30, 1903*, will have interest for historical investigators. It includes a list of accessions to the Division of Manuscripts and a statement of important additions to the Division of Maps. Special reference is made to the transfer from the State Department to the Library of the records and other papers of the Continental Congress and the papers of Washington, Madison, Jefferson, Hamilton, Monroe, and Franklin, "with such exception and reservations in each collection herein enumerated as in the discretion of the Secretary of State may be required for the continuity and completeness of the records and archives of the Department

of State". Mention is also made of the transfer of the Kohl collection of maps, comprising 474 maps relating to the progress of discovery in America. At some future time it is expected that the Review will contain a fuller description of the papers retained in the State Department for the "continuity and completeness of the records and archives" of that department in accordance with the terms of the order of transference.

Among the more important documents recently added to the manuscripts division of the Library of Congress is the correspondence of John M. Clayton, some 1,180 letters of a miscellaneous but valuable character. The Polk papers include about 10,500 letters from about 700 different persons. The collection seems especially rich in early Tennessee material and in letters bearing on the period of Polk's administration.

A *Memoir of Benjamin Franklin Stevens*, by G. Manville Fenn, has been printed in London for private distribution (1903, 310 pp.). In addition to the memoir, which recounts the development of Mr. Stevens's work as a collector of rare American and other valuable manuscripts, there also appears an "Introduction to the Catalogue Index of American Manuscripts in European Archives", a description of the character of the index and the work involved in its preparation. The number of entries referring to the documents in the British, French, Spanish, and Dutch archives Mr. Stevens in his introduction estimates at one hundred and sixty-one thousand.

The New Century History of the United States, by Edward Eggleston, has been published by the American Book Company. The work, left unfinished on the death of Edward Eggleston, was completed by George Cary Eggleston (New York, 1904, pp. 406, 47).

A new series, "The American Jurists", is announced by Dodd, Mead, and Company. The editorial work is in the hands of Harry A. Cushing. The first volume to appear treats of the life and legal services of Judge Thomas M. Cooley, written by Henry Wade Rogers. The other volumes so far announced are *William Pinckney*, by John Bassett Moore, *James Kent*, by James Breck Perkins, and *Joseph Story*, by Francis M. Burdick.

A set of valuable *Addresses, Lectures and Other Papers*, by James Clarke Welling, has recently been privately printed (1903). That they should not have been published is regrettable, for they are full of material for the student of history and should be accessible to him. They are written in good English, at times possibly over-rhetorical, since some of them were written to please audiences and not as historical contributions; but in them is much sound history and clear statement of fact. The most worthy of note are "The Mecklenburg Declaration of Independence", "The Emancipation Proclamation", "Connecticut Federalism", "The Land Politics of the United States", and "The States'-Rights Conflict over the Public Lands".

The leading article in the *German-American Annals* for March is "Johann Jakob Astor und die Astor Bibliothek" by Albert J. W. Kern. In the April number appears "Die Pseudo-Unabhängigkeits-Erklärung von Mecklenburg County, Nord Carolina". In the May number the leading article is the first part of "The Harmony Society; a Chapter in German American Culture History".

Dr. James Sullivan, of the New York High School of Commerce, has prepared a series of *Facsimiles of the Riant Manuscripts in the Harvard College Library for the Use of Students in Paleography*.

Under the direction of Professor Edward L. Stevenson a series of photographic reproductions of twelve *Maps Illustrating Early Discovery and Exploration in America, 1502-1530*, has been prepared. Among the maps included are the Cantino map of 1502-1504, the Turin-Spanish map of 1523-1525, the Maggiolo map of 1527, and the Verrazano map of 1529. They are reproduced in the exact size of the originals, for the first time, with one or two exceptions, and each map is accompanied by a brief description. It is planned to add other important early maps to the collection.

The Burrows Brothers Company is issuing a series called "Narratives of Captivities". The edition is limited. There has now appeared *The Dangers and Sufferings of Robert Eastburn, and his Deliverance from Indian Captivity*, reprinted from the original edition of 1758, with an introduction and notes by John R. Spears.

The National Society of the Colonial Dames of America has made a sufficient appropriation for the preparation and printing of two volumes of the despatches and letters addressed by William Pitt when Secretary of State to colonial governors and military commanders in America, and of their replies.

An edition of the writings of Benjamin Franklin, to be published in ten volumes, in January, 1906, the two-hundredth anniversary of Franklin's birth, is planned by the Macmillan Company. The editorial work is in the hands of Mr. Albert Smythe.

The second volume of *The Poems of Philip Freneau, Poet of the American Revolution*, has been issued with the imprint of the Princeton University Library (Princeton, 1903, pp. x, 407). The material is in some ways more deserving a notice in a historical periodical than in a literary journal; nearly the whole volume is taken up with poems of an occasional character, embodying in rhyme or in studied periods the thought and passion of the time. For the student of the Revolution, therefore, the book is of importance, and American scholars should be grateful to Mr. Pattee for the care with which these pieces have been brought together.

We note two recent French publications of interest to American students: *La Fayette dans la Révolution*, by Henri Doniol (Paris, 1904), and *Les Chartes Coloniales et les Constitutions des États-Unis de l'Amérique du Nord*, by A. Gourde (Paris, 1903).

The latest edition to the "American Men of Energy" is *James Lawrence, Captain, United States Navy, Commander of the "Chesapeake"*, by Albert Gleaves, with an introduction, twelve lines in length, by George Dewey (New York, Putnams, 1904).

Houghton, Mifflin, and Company have just issued a reprint of *A Collection of the Facts and Documents, relative to the Death of Major-General Alexander Hamilton*. The volume was first printed one hundred years ago, the materials contained in it being collected by Coleman, the first editor of the New York *Evening Post*.

Among the contents of the April number of *The American Historical Magazine* we note an appreciative sketch of William R. Garrett, the founder of the magazine. The sketch is written by A. V. Goodpasture, the present editor, and is accompanied by a bibliography of Mr. Garrett's writings. A short article also appears in the number on "Jackson's Attitude in the Seminole War", by David Y. Thomas.

Justin H. Smith, Professor of Modern History at Dartmouth, is now in Mexico collecting data on the war between Mexico and the United States. His present visit is expected to occupy the greater part of a year.

The fifth number of *State Documents on Federal Relations*, edited by Herman V. Ames and published by the Department of History of the University of Pennsylvania, has just been issued. It contains twenty-eight documents bearing on "Slavery and the Constitution", the first, resolutions passed by the House of Representatives in 1790, the last, resolutions of the Virginia legislature in 1844. The next volume will cover the period from 1845 to 1861.

Volume XVII. of the first series of the *Official Records of the Union and Confederate Navies* has just been published. It contains the operations of the East Gulf blockading squadron from February 22, 1862, to July 17, 1865, and of the Gulf blockading squadron from December 16, 1861, to February 21, 1862.

A new two-volume life of Lincoln is published by the Robert Clarke Company, *Abraham Lincoln and His Presidency*, by Joseph H. Barrett. In 1860 the author of these volumes prepared a campaign biography of the Republican candidate for the presidency, adding to it in 1864 and 1865. The present volumes are written as the result of Mr. Barrett's early determination to write a "deliberate and complete biography".

Captain Robert E. Lee is compiling for Doubleday, Page, and Company a volume of *Recollections and Letters of General Lee*. The letters are chiefly to members of the great leader's family and are said to throw much light on his character and personality, as well as on his attitude toward the result of the Civil War.

Mr. Walter F. McCaleb is engaged in editing the memoirs of John H. Reagan, which are now nearly ready for the press. They will naturally be of interest to students of the Confederacy.

A valuable study in the history of Reconstruction is Paul S. Peirce's

The Freedmen's Bureau, which appears as Number 1 of Volume III. in the State University of Iowa Studies in Sociology, Economics, Politics, and History (Iowa City, published by the University, 1904, pp. vii, 200).

The third number of "West Virginia Documents relating to Reconstruction", entitled *Union League Documents*, edited by Walter L. Fleming (Morgantown, West Virginia, 1904), contains the Constitution of the National Council of the Union League of America, the Ritual of the Union League, a Loyal League Catechism, and other valuable and interesting papers.

A valuable study in the economic and political history of the United States is *A History of Two Reciprocity Treaties, the Treaty with Canada in 1854, the Treaty with the Hawaiian Islands in 1876*, with a chapter on the treaty-making power of the House of Representatives, by Chalfant Robinson. The author concludes in his treatment of the constitutional question that the House thus determined that treaties dealing with the revenues are altogether under control of the House of Representatives, and that there is no obligation recognized in like treaties to follow the action of the Senate by favorable legislation.

Addresses and Presidential Messages of Theodore Roosevelt 1902-1904, with an introduction by Henry Cabot Lodge, has been published by the Putnams. It forms a unique and interesting campaign document based on the principle stated by Mr. Lodge, inverting the statement of Dr. Johnson, that "no man was ever written up except by himself". In addition to sundry speeches and addresses appear some letters, notably those on Southern appointments, that are likely to be of some historical importance.

We have received, as the first of the Robert Charles Billings Fund Publications and bearing the imprint of the Boston Athenæum, *Autobiography and Voyages of François Le Forestier (1749-1781), a Refugee from Mauritius and a Teacher in New England (1904, pp. xi, 77)*. It is a careful reprint of a French manuscript written on a voyage from Salem to Mauritius and addressed to one of Forestier's pupils in Portland.

The first volume of the *Laws of New Hampshire* has been published by the state. The task of editing seems to have fallen into very competent hands and there is good reason to expect a thoroughly satisfactory series. The first volume covers the history of the colony till 1702. A long introduction by the editor, Mr. A. S. Batchellor, outlines the legal history of the province and contains much valuable information. It is to be regretted that it was found necessary to print two pages of "additions and corrections", the result partly of imperfect proof-reading.

The report of Robert T. Swan, Commissioner of Public Records in Massachusetts, is an encouraging document, not because the writer speaks with optimism and declares that all is well, but because he knows his business, speaks with frankness and clearness, and points out what should be done as well as what is doing for the preservation of the valuable

town records of the commonwealth (Boston, Wright and Potter, State printers).

Massachusetts, by Professor Edward Channing, and *Rhode Island*, by Irving B. Richman, are announced in the "American Commonwealths" series.

The second volume of the *Records of the Court of Assistants of the Colony of the Massachusetts Bay*, edited by John Noble, is soon to appear. The extent of the material is such that a third volume will be required.

Perhaps the most valuable of the papers in the March number of the *Records of the American Catholic Historical Society of Philadelphia* are "Boston's First Catholic Church", which is made up of some letters from Dr. Francis Matignon, and "An Interesting Correspondence", letters from Cardinal Cheverus, first Bishop of Boston.

The Rhode Island Historical Society has discontinued the publication of the *Quarterly*. The *Proceedings*, which were issued from 1872 to 1892, will be hereafter published annually. The *Collections*, which were begun in 1827, will also be continued. The tenth volume of the latter series has just appeared. It contains the Harris Papers with an introduction by Irving B. Richman and a useful list of seventeenth-century place-names in Providence Plantations prepared by Clarence S. Brigham. This list, which is accompanied by a map, is supposed to include every place-name mentioned in the Providence records before 1700 and included within the original town.

Mr. Henry Melville King has published in a small volume *Religious Liberty, an Historical Paper* (Providence, Preston and Rounds). Its purpose and scope may be indicated by the following excerpt from the preface: "It is coming to be conceded more and more that the Anabaptists of Europe, so long misunderstood and maligned, were the true pioneers of religious liberty; that to them belongs the honor of its promulgation, as to Roger Williams and his associates and successors belongs the honor of its realization in civil government."

Aside from continuations the *Pennsylvania Magazine of History and Biography* for April contains "Mrs. Mary Dewees's Journal from Philadelphia to Kentucky, 1787-1788", contributed by Samuel P. Cochran, and two letters of Charles Carroll, of Carrollton, from the Dreer collection. The first letter is to Richard Peters, Secretary of the Board of War, dated October 22, 1777, and asks that a couple of weavers, if any are to be found among the British prisoners, be sent to him to make up the winter clothes for his slaves; the second, dated August 22, 1806, is to Horatio Ridout and briefly expresses disapprobation of the foreign policy of the administration.

Yet another series of reprints of rare Americana is projected, this time by the A. Wessels Company. The first volume is to contain that mine of information, the Rev. Andrew Burnaby's *Travels through the Middle Settlements*, edited by Rufus Rockwell Wilson.

The most recent addition to the "Johns Hopkins Studies" is *White Servitude in Maryland*, by Eugene Irving McCormac, a substantial monograph covering the history of the institution. It may be noted that the author states there was no appreciable falling off in the number of German and Swiss redemptioners entering the states until after 1817. The study is a valuable addition to the monographs on the general subject.

A creditable publication, largely made up of contributions by college students, is the annual volume entitled *The John P. Branch Historical Papers of Randolph-Macon College*, edited by Professor William E. Dodd. The fourth number (June, 1904) contains "The Public Life of George C. Dromgoole", by Edward James Woodhouse; "Benjamin Watkins Leigh", by Edwin James Smith; "Robert R. Livingston — Beginnings of American Diplomacy", by Robert Kemp Morton; and "Spencer Roane", which is made up of reprints from the *Richmond Enquirer*. These reprints bring before us the clearly stated opinions of an advocate of states' rights and are of considerable historical interest.

In the *South Atlantic Quarterly* for April, Professor William E. Dodd points out "Some Difficulties of the History Teacher in the South", or rather in Virginia and the Carolinas. The same number contains an article on "Father Louis Hennepin, Explorer", by John Raper Ormond.

John Brereton's *Briefe and True Relation of the Discouerie of the North Part of Virginia*, 1602, is edited by Luther S. Livingston and reprinted in facsimile as No. 2 of Dodd, Mead, and Company's Historical Series.

We have received *A Virginia Girl in the Civil War* (D. Appleton and Company, 1903). This is the story of the wife of a Virginia officer who kept as close to her husband as possible during the war, and who was consequently in a position to see much of the war at first hand. Of particular interest are the accounts of her experiences in running the blockade between Virginia and Maryland, of the precarious existence of Southern sympathizers in Baltimore, and of life in Richmond during the last days. Although the story is narrated in the first person, it was first told orally and then taken down and edited by Myrta Lockett Avery.

Among other papers in the *South Carolina Historical and Genealogical Magazine* for April is the continuation of "Letters from Hon. Henry Laurens to his son John, 1773-1776", one of them containing an interesting discussion of the project of "stopping the Ship and Lawford's Channels by means of sinking schooners".

Of considerable historical interest is the centennial edition of the *Charleston News and Courier*, one of the very best anniversary editions ever published in America. Large portions are prepared with real scholarly care, and much information is given on the political, educational, and industrial history of the state. Its chief value lies in the full treatment of the history of journalism in South Carolina.

In the mass of new books bearing on the acquisition of Louisiana, we notice *Documents relating to the Purchase and Exploration of Louisiana*, published in a limited edition by Houghton, Mifflin, and Company.

Mr. Dunbar Rowland's second annual report as director of the Department of Archives and History of the State of Mississippi is of especial significance as revealing the awakening interest throughout the southern states in the preservation and systematic care of their archives. The report contains a list of the Confederate records in the possession of the state and a detailed description of the records of the territorial government. These last contain much valuable material relative to Indian affairs, to Burr's conspiracy, and to troubles with Spain.

We have already had occasion to notice the series of western travels published by A. S. Barnes and Company. Several volumes have appeared: Harmon's *Journal of Voyages and Travels in the Interior of North America*, with an introduction by Robert Waite, who gives no bibliographic information, not even venturing to state where and under what circumstances the original edition was published; *The Journey of Coronado*, with a good introduction and real notes by George Parker Winship, a volume likely to be of much interest as constituting the most accurate edition of the accounts of this famous expedition; Mackenzie's *Voyages from Montreal through the Continent of North America*, in two volumes, with an inexplicit introduction by Robert Waite; and lastly, a reprint of the Biddle edition of the *History of the Expedition under the Command of Captains Lewis and Clark*, in three volumes with a short account of the Louisiana Purchase by John B. McMaster. The publishers have sought to make a handy, popular edition, which could be sold cheaply and might be read widely. The books, though not elegant, are well printed and attractive.

Of the series of *Early Western Travels, 1748-1846*, which is being issued by the Arthur H. Clark Company of Cleveland, the first three volumes have appeared. The first contains the journals of Conrad Weiser, George Croghan, Christian Frederick Post, and Thomas Morris. Weiser's was the first official journey to the west of the mountains undertaken at the instance of the English colonies. Croghan's journal is of great importance, for the writer was one of the most conspicuous figures of the period of the French and Indian War. Post's journals are reprinted from Proud's *Pennsylvania* (Philadelphia, 1798); that of Morris from his rare *Miscellanies in Prose and Verse*, in which it was printed in London in 1791. Morris accompanied Bradstreet to Detroit in 1764 and afterward had most interesting experiences as a captive among the Indians. The second volume of the series is devoted to John Long's *Voyages and Travels of an Indian Interpreter and Trader*, while the third contains a translation of André Michaux's journal of travel into Kentucky, 1793-1796, a reprint of François André Michaux's *Travels to the West of the Alleghany Mountains*, 1802, and Thaddeus Mason Harris's *Journal of a Tour into the Territory Northwest of the Alleghany*

Mountains . . . 1803. André Michaux was one of Genet's agents, but his journal is scientific rather than political. The books are handsomely bound and printed. The editing by Mr. Thwaites seems to have been done with his customary care and knowledge. There is no want of helpful annotations. The books therefore will be likely to be of more real value than the early prints from which they are taken.

The thirteenth annual meeting of the Michigan Pioneer and Historical Society is to be held in Lansing on June 1 and 2. It is expected that Volume XXXIII. of the society's publications, containing the Cadillac papers, will appear before the date of the meeting. The Cadillac papers contain much material relating to the early settlement of Detroit, and have been contributed by Mr. C. M. Burton, president of the society.

The Wisconsin State Historical Society is engaged in reprinting the ten volumes in the first series of its publications, covering the years 1855 to 1888. The reprint is to be of 2,000 copies, and the original pagination will be followed. The first volume has appeared and will receive further notice in another number of the REVIEW.

The Iowa legislature has appropriated \$300,000 for the completion of the building for the Historical Department of Iowa.

The December, 1903, number of *The Quarterly of the Oregon Historical Society* contains the first part of a valuable paper by William Alfred Morris, "The Origin and Authorship of the Bancroft Pacific States Publications: a History of a History". The purpose is to show the portions contributed by various writers and the equipment of each for his task. The nature of the interesting facts in the article may be seen from the following sentences: "Had Mr. Bancroft made public the fact that three persons besides himself wrote the History of California, that he was in reality the author of but sixty pages in the entire seven volumes of that set, that he had not the least claim to the authorship of the History of Oregon, and that the histories of the two states were in the main written by different persons, the fallacy of this argument would have been clear. . . ." "When speaking in the Literary Industries of work done for him by others, Mr. Bancroft shows a habit which is derived from his long experience as a manager of a business concern."

The *Review of Historical Publications Relating to Canada* for 1903, edited by Professor Wrong and Librarian Langton of the University of Toronto, is the eighth annual number of that publication. Over 200 publications and articles are noted, some of them receiving exhaustive reviews. The classification is six-fold, with the main headings I. Canada's Relation to the Empire; II. History of Canada; III. Provincial and Local History; IV. Geography, Statistics, and Economics; V. Archæology, Ethnology, and Folk-Lore; VI. Law, Education, Bibliography.

William Wood, major of the Eighth Royal Rifles, Canadian militia, has written *The Fight for Canada, a Naval and Military Sketch from the History of the Great Imperial War*. It is published in a handsome vol-

ume by Archibald Constable and Company (London, 1904, pp. xxi, 363). The same firm announces *The Naval Conquest of Canada*, being a composite diary formed from all the logs of his majesty's ships in Canadian waters in 1759 and also from other original and mostly unpublished documents, edited by A. G. Doughty.

Noteworthy articles in periodicals: Herbert Putnam, *Manuscript Sources for American History* (North American Review, April); C. H. Lincoln, *Some Manuscripts of Early Presidents* (Literary Collector, May); R. G. Thwaites, *Newly Discovered Personal Records of Lewis and Clark* (Scribner's Magazine, June); Agnes C. Laut, *Fights of the Fur Companies* (Century, April); W. G. Brown, *The Spaniards in the South* (The World To-Day, April); S. Weir Mitchell, *The Youth of Washington* (Century, April, May, June); Helen H. Dodge, *The Repeal of the Stamp Act* (Political Science Quarterly, June); J. K. Laughton, *The American Revolution* (National Review, March); Sir George Trevelyan, *on the American Revolution* (Edinburgh Review, April); F. J. Turner, *The Diplomatic Contest for the Mississippi Valley* (Atlantic, May, June); Jesse W. Weik, *Lincoln as a Lawyer* (Century, June); M. C. S. Noble, *The Battle of Moore's Creek Bridge* (North Carolina Booklet, March); Frank T. Carlton, *The South During the Last Decade* (Sewanee Review, April); W. C. Dennis, *The Panama Situation in the Light of International Law* (American Law Register, May); Octave Uzanne, *The Inter-oceanic Canal. Nicaragua or Panama?* History of plans for a canal (Fortnightly Review, April).

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